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Publication of Original Documents

RELATING TO

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*At Brit. Mus. for compounding with solemnity
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THE
Royalist Composition Papers,

BEING THE PROCEEDINGS OF THE

Committee for Compounding,

A.D. 1643-1660,

SO FAR AS THEY RELATE TO THE

County of Lancaster.

EXTRACTED FROM THE RECORDS PRESERVED IN THE PUBLIC
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LANCASHIRE

ROYALIST COMPOSITION PAPERS.

**John Calvert, Richard Calvert, and Thomas
Rogers, Gent.**

(First Series, Vol. xii., No. 346, fols. 973, &c.)

fo. 973. "Worcestor House, Tuesday, 17th March, 1656.

"By the Com^{rs} for Discoveries.

"Whereas Major Thomas Rippon hath exhibited an Information (on y^e behalf of his Highness y^e Lord Protector) before y^e said Com^{rs} touching the Concealm^t of y^e Manno^r of Cockerham, in y^e County of Lancaster, in y^e hands of John Calvert, Richard Calvert, and Thomas Rogers, Gent., and y^e said p^{tt} alleading y^t y^e said Informa^{cion} cannot be effectually made out to y^e benefitt of his said Highness w^{thout} y^e p^{usall} and assistance of y^e order whereby y^e Sequestra^{cion} of y^e said Manno^r of Cockerham was discharged in y^e Custody of M^r Bayly, late Reg^r to y^e Com^{rs} for Compounding, etc., and praying the Com^{rs} direc^{cons} therein. IT IS ORDERED that y^e said M^r Bayly doe, upon Tuesday the 14th instant, at two of y^e Clock, in y^e afternoone, bring, or cause to be brought, onto y^e said Com^{rs} or their Register, the said Order of Discharge, in order to y^e service of his Highness y^e Lord Protector aforesaid.

F. PARKHURST, Reg^t."

fo. 975. 28 September, 1653. Contract by Samuel ffoxley, Esq., for purchase of the manor of Cockerham,

with the lands, easements, hereditaments, rights, members, and appurtenances, late parcel of the estate of John Calvert, Esq.

JOHN CALVERT, OF COCKERHOLME, GENTLEMAN.

fo. 977. Petition of the children of John Calvert, of Cockram, a delinquent, which shewed that some five years then ago an order had been granted for an allowance of the fifths out of his estate to petitioners. The Committee of Lancashire refused to pay the fifths, alleging that he had received some fines of some grounds. That, for want thereof, which was their sole subsistence, petitioners had been reduced to great extremity. Prayed for the allowance and arrears. "9 Dec., 1654. The Co^{rs} to certify why they doe not pay the 5ths acc^g to or fom^r ord^r."

fo. 979. Report by Mr. Reading, dated 7 August, 1651, based upon an order of 20 August, 1650, in the matter of a petition by John Calvert, of Cockram, gentleman, desiring an allowance of £20 a year granted to him by his father upon the settlement of his estate upon Richard Calvert (petitioner's eldest brother), which had then formerly been allowed to him by the Committee of Lancaster, the then present Commissioners detaining the same, as the estate of Richard Calvert was under sequestration for his recusancy.

Mr. Reading found that the Commissioners of Lancashire had examined several witnesses for proof of the deed, among them one John Brown, who deposed that he knew the handwriting of the witnesses endorsed upon the deed dated 7 December, 13 Jacobi [1615], made between John Calvert, Esq., on the one part, and Sir John Peshall and Peter Waters on the other, and that the said witnesses were then dead; and he deposed that petitioner, named in the deed, had received the rent charge of £20 a year for twenty years then past; that he had received 20s., part of the then current year's amount, from Thomas Gardner, then late agent for sequestrations in Longsdail hundred.

Two other witnesses confirmed the handwriting. Judgment humbly submitted to the Commissioners themselves.

At foot a note: "26 Feby., 1651[-2], Joyce Caluert swears y^e father, John Calvert, is dead."

fo. 981. Reference to Lancashire Commissioners, 16 (or 20) August, 1650.

fo. 983. Petition of Richard Calvert and Edmund Calvert, of Cockram, gent., on behalf of themselves and their two younger brothers, which shewed that their father, Richard Calvert, Esq., deceased long preceding, had granted to each of petitioners "a Severall Annuity" of £20 a year.

That the lands out of which these annuities were to be paid were sequestrated for the delinquency of their elder brother, John Calvert, Esq., and the Lancashire Commissioners refused to pay or allow the said annuities. Prayed that their cause might be referred to be reported (27 November, 1651). "The Com^{rs} to Ex: & Certifie, & ref^d to Mr. Readinge."

fo. 986. Petition, 29 November, 1650.

fo. 988. Petition from John Calvert, of Cockerholme, gentleman, 16 August, 1650, which shewed that by a deed dated 7 December, 13 Jacobi [1615], petitioner's father, upon the marriage of his eldest son Richard, had conveyed to himself and heirs his whole estate, reserving the greater part to himself for life; he was then dead many years. In the same deed he conveyed £20 a year to petitioner (being his second son) for life; that on production of the deed before the late Lancashire Commissioners, they had allowed the payment of the £20, but that then lately it had been stopped on account of the sequestration of the said Richard's estate for recusancy. Prayed for an order to the Commissioners below for payment (16 August, 1650). Ordered to examine and certify, and referred to Mr. Reading; the rents to remain in the tenants' hands in the meantime.

fo. 989. Petition, copy of the one on fo. 988.

fo. 991. Communication dated at Preston, 30 October,

1650, stating they had examined several witnesses for proof of the deed, and had enclosed copies of the depositions.

fo. 993. Examinations of Robert Mayle, John Blakowe, and John Browne.

(First Series, Vol. lxii., No. 2,013, fols. 551, &c.)

fo. 551. Petition from John Thornton, John Garner, Ellen Shires, Thomas Garner, John Brade, Elizabeth Askew the younger, and Henry Preston, all of the county of Lancaster, which disclosed that petitioners had been tenants to John Calvert, Esq., then lord of the manor of Cockerham, upon leases for lives. The said John Calvert, about the year 1650, for several fines received from the several petitioners, granted to them new leases for lives (some of the other lives being then dead), which fines so taken were paid to the Commissioners for Sequestrations for the County of Lancaster, he, John Calvert, being a delinquent. It also disclosed that his name had been inserted in the Act for Sale, and the leasehold estates of petitioners had been treated as in the then possession of John Calvert, by which means petitioners were not only turned out of their said estates, but were in danger of losing their fines paid as above stated, unless relieved by the Commissioners above. They therefore prayed for an order directed to the Lancashire Commissioners, directing them to repay the fines; 29 November, 1654. Referred to Lancashire Commissioners to examine and certify.

John Cansfyld,

An infant under the age of fourteen, by Francis Bagshaw, Esq., his guardian.

(First Series, Vol. lxxvii., No. 2,370, fols. 269, &c.)

fo. 269. Petition shewing that John Cansfyeld, of Roberts Hall, co. Lancaster, Esq., petitioner's late father, was lawfully seised, for term of life only, of (amongst

other things) the rectory of Thornton, and several lands, tenements, glebelands, and tithes, in several parishes in Yorkshire. The estate being under sequestration petitioner prayed for its removal, 1 August, 1654 (no order).

fo. 273. Petition.

For Parishioners of Cartmell see Thomas Preston.

For Cartmell Poor see Thomas Westbie.

Thomas Carus, of Halton, Gentleman.

(Second Series, Vol. xxxii., No. 1,707, fols. 45, &c.)

fo. 45. Delinquency; in arms against the Parliament. He compounded on a particular which disclosed that he was seized to him and his heirs of the manor of Halton, with the appurtenances and of divers lands, tenements, mills, and hereditaments in Halton, Whittington, and Lancaster, and in Kerby Lonsdale, co. Westmoreland, worth yearly £212. 3s. 4d. That he also possessed a parcel of land in Quarrismore,¹ held by lease from Sir Thomas Fotherley, of the yearly value of £20; also for his wife's life (being her jointure by her former husband) of certain lands parcel of the manor of Kirtland, and the moiety of a mill worth £50 a year. He claimed deductions: £5. 6s. 8d. a fee farm rent; £100 a year charged on the estate for the lives of his father and mother, or the longer liver of them; an annuity of £15, and £13. 6s. 8d., granted to his two brothers, Bryan and Wilford Carus, to commence at death of compounder's father. Some part of the premises was also in mortgage for £100 to one Richard North, redeemable at death of compounder's father; also a charge of £8 a year payable to Widow Heston for life. Fine, £516. 10s.

fo. 48. Petition, in which compounder states that the

¹ *I.e.*, Quernmore.

Committee in the county refused to obey the order from them, alleging that the estate had been sequestered as his father's, who was a papist; it refers to the deed of settlement executed 20 November, 8^o Charles [1632], when the estate was settled in trust in consideration of marriage for the use of petitioner and his heirs for ever, that petitioner had been in possession for about fourteen years, as is testified by about one hundred persons, inhabitants of the township of Halton.

That petitioner had been put to all this trouble by means and procurement of one Thos. Whitehead, clerke, who farmed part of his estate from the Commissioners of the county of Lancaster, was still in possession and had pretended title to some part of the estate in the demesnes of Halton. Prays that he may be put into possession; 23 October, 1650. Ordered to be referred to Mr. Reading to report upon.

ff. 49-51. Report of Mr. Reading.

fo. 54. Statement signed by about one hundred of the inhabitants of the township of Halton and neighbourhood, certifying that petitioner "was really possessed of all such several estates as he had heretofore compounded for;" that the real estate in possession of Thomas Whitehead, clerk, had been in possession of petitioner for about fourteen years before the sequestration; and further, that the estate then in possession of the said Whitehead, had, before the wars, been in the possession of the petitioner and his ancestors and their assigns time out of the memory of man by the space of an hundred years.

fo. 57. Communication from the Preston Committee, dated September 12th, 1650, to the London Commissioners acknowledging [receipt] of a communication dated 6 August, preceding, from them, and that they had in obedience to orders given instructions that the rents of the estate of petitioner should remain in the tenants' hands till further orders. In reply also as to who was in possession of the estate petitioner formerly compounded for, at the time it was sequestered, the Committee certified that as they

were informed the estate was sequestered as that of the father, and the former letters of sequestration were stayed by the late Committee, and the sequestration continued, as he had compounded for his father's estate (who was a papist), pretending that the estate was his own, he having only an annuity of £50 or £60 per annum issuing out of it, as by examinations taken before the said Committee appears; and this they conceived was the reason why the estate remained under sequestration; all which they submitted to the better judgment of the London Committee.

(Signed) PETER HOLT.
ROBT CUNLIFFE.
GEO. PIGOT.

fo. 61. Deposition of John Harrison, of Skirton, gentleman, on matters relating to the deed (of which he was one of the witnesses), of 20 November, 8^o Charles [1632], which related to the marriage of petitioner with Mary, one of the daughters of Thomas Middleton, of Leighton, in the county of Lancaster, sworn before the Commissioners, 21 October, 1650.

fo. 63. Examinations taken at Padiham, 14 June, 1649.

Richard Jenkins, minister of God's word at Whittington, deposed that in the year 1638 he with others were appointed Commissioners for taking the examination of Thomas Carus, sen., of Halton, Esq., and Thomas Carus, jun., and of other defendants, at the suit of the Lord Dacres, in a suit pending in the Court of Wards and Liveries. He believed the paper writing then shewn him was the examinations of the said gentlemen and others, and in particular that the examination of Thomas Carus the younger taken to the third interrogatory and written in the second folio of the said paper writing, wherein he the said Thomas Carus, jun., affirmed that he had an allowance of £50 per annum from his father the said Thomas Carus, sen., out of certain lands parcel of the manor or lordship of Halton, but that he claimed no estate in the said lands during his father's life, is the examination

of the said Thomas Carus, jun., and that the name Thomas Carus subscribed to his examination to the twenty-second interrogatory fo. 4 of the said paper writing is, as he believeth, in the handwriting of the said Thomas Carus, jun., but for the particular circumstances expressed in the said interrogatories he cannot certainly remember, in regard the said paper examinations were sealed up, and, after the Commission was executed, were left at the house where the said Commissions were executed, and the examinations and interrogatories, engrossed in parchment, were returned into the Court of Wards, from whence the Commission aforesaid issued, the which, for more certainty, now remain amongst the records of the said Court.

Thomas Gardner, one of the sequestrators within the hundred of Lonsdale, deposed that in December, 1645, when his father, William Gardner, then agent for sequestrations for that hundred, was at Halton to let the estate of Thomas Carus, sen., petitioner and Thomas Medcalfe, of Lancaster, came into the inn and desired them to allow to his children a fifth part of his estate for their maintenance. Deponent's father said they were willing so to do, but knew not what estate petitioner had, when Thomas Medcalfe said he had an annuity of £50 or £60 issuing out of his father's estate during his father's life. They then allowed to the three children of petitioner the sum of £17 in lieu of their fifth.

fo. 65. Before the Commissioners in London, the 21st November, 1650, Christopher Danby, of Haulton, gentleman, deposed that he had often heard Thomas Carus, sen., confess and affirm that he had made a deed to Thomas Carus the younger, his son, of all the lands in his, the petitioner's, particular mentioned.

fo. 67. Receipt for £516. 10s. by two payments per petitioner, being the fine first levied on him.

fo. 70. Petition.

fo. 71. Certificate signed by George Hereon, clerk to the Committee at Goldsmiths' Hall for entering the names of such as came out of the King's quarters, dated 26 March,

1646, stating that petitioner appeared that day before the Committee, entered his name, place of abode, and was examined according to the ordinance of November 13th, 1645.

fo. 73. Affidavit of Christopher Harlinge, of Whittington, deposing that Widow Heeshame, about ten years before, lent the compounder £40, and was to receive for life yearly £8. As security compounder assigned to her part of the desmesne lands of Westhall.

fo. 75. Certificate from J. Launce, auditor co. Lancaster, shewing the amount of fee farm rent issuing out of a mill mentioned in petitioner's estate, and that it was duly answered to the Crown.

fo. 77. Certificate signed by the Committee in London, shewing that petitioner took the National Covenant and Negative Oath before them, 6 April, 1646, and "licensed him to stay within the lynes of communication during the space of one month."

fo. 79. Information of Robert Cunliffe, one of the Sub-Commissioners for Sequestrations in the County of Lancaster, that he was one of the late Committee, and was with others at Lancaster about April, 1649, when petitioner delivered letters from the late Committee at Goldsmiths' Hall importing a discharge of his estate from sequestration by composition, made on a particular wherein were mentioned several lands which were sequestered for the popery and delinquency of Thomas Carus the elder. The Committee declined to discharge, because they were sequestered for the popery and delinquency of the father and not the son; whereupon compounder produced a deed (referred to *supra*). The Committee ordered him to produce witnesses to prove the time of the sealing and delivering. He presently brought William Leake, gentleman, and George Hodgson, attorney at law, whose names were endorsed on the back of the said deed, but both of them "denyed" to swear that the same deed was sealed and delivered at or near the time of the date thereof, or before the beginning of the war.

The Committee continued a week at Lancaster, and Thomas Carus, jun., subsequently brought another man (whose name informant did not remember) who offered to depose that he was present at the sealing and executing of the deed, and had endorsed his name as a witness thereof according to the date. The Committee, suspecting him, put him to write the name; he did, but there was so much difference between the name on the deed and the one he then had written that the Committee disbelieved that he was witness to the deed, and therefore refused to discharge the estate according to the letters of suspension then produced.

(Signed) ROBT CUNLIFFE.

fo. 81. Letter from Committee at Lancaster repeating in substance the above "Information."

(Signed) RIC. SHUTTLEWORTH.

GEORGE DODDING.

JOHN STARKEY.

THO. FFELL.

Lancaster, 2 April,
1649.

fo. 83. "Lanc^r. Att the Comittee, the 2nd Apl., 1649."

Copy of an original letter to the Sequestration Agents from the Lancaster Committee to remove the sequestration, compounder giving security.

fo. 85. Letter from the Committee at Goldsmiths' Hall, to the Committee of the County of Lancaster, dated 22 February, 1648[-9], advising them that compounder had submitted to a fine, and directing them to discharge the sequestration from the date thereof; several conditions were attached to this, one was that he was "to sue forth a pardon under the great Seale within six weeks after his composition shall be allowed of by the Parliament."

fo. 87. Particular of the estate.

Receipt dated 22 February, 1648[-9], by the treasurers (Richard Waring and Michael Herring) for the sum of £258. 5s., part of £516. 10s., the fine imposed on him.

fo. 91. Draft of a communication to the Lancashire Committee referring to their letter of April 2, 1649; after

reciting the former part of it, this communication runs, "and you enjoyned Compounder to prove the execution of his evidence w^{ch} you conceive was nott punctuallie done concerninge the perticular tyme of the sealinge & executinge of the same deede, w^{ch} as appeares to us much disables the said Mr Carus to make good and pforme his service paimt, And wee conceevinge noe mençones in yo^r said Certificate valid or sufficient to continue the said Sequestraçõn, Doe order and require you totallie to suspend the said Sequestraçõn according to our former order and pticular whereby to enable the said Mr. Carus to make speedie and present payment of the remainder of his said fyne."

ff. 93-94. Particular (no date).

See also **Lord Morley**.

**THOMAS CARUS, SON AND HEIR OF THOMAS CARUS,
OF HALTON, ESQ.**

(First Series, Vol. xii., No. 321, fols. 642, &c.)

fo. 642. Deposition of Luke Pearson, of Lynghall, co. York, sworn in London, 20 November, 1651, who swore that, being with Mr. Fell, a member of Parliament, about the 21st of September preceding, he, Mr. Fell, told deponent that he had received a letter from the Honourable Commissioners at Haberdashers' Hall directed to him, and an order (or copy thereof), the import of which was that if he did not shew cause within twenty-eight days after delivery thereof the sequestration of the estate of Mr. Carus, of Halton, the younger, should be discharged according to his composition, and that the same had been delivered to him by Mr. Leake and Mr. Metcalfe about the time aforesaid, who, in deponent's hearing, was desired by the said Mr. Carus to deliver the same to him, who since that time said he should shew no cause therein.

fo. 643. Statement of Thomas Carus' matter, by which

it appeared his delinquency was that he deserted his own dwelling and went and lived in the enemy's quarters, for which he was taken and imprisoned; whilst he was in restraint he had solicited divers friends of his enlargement and composition (before 1 December) according to the ordinance of Parliament, and did from time to time address himself for that purpose to the Committee of Lancaster, as appeared by affidavit. He took the National Covenant before William Barton, minister of John Zacharies, 26 March, 1646, and the Negative Oath before the Commissioners in London, 6 April following. He compounded upon a particular which shewed that he was seized in fee to himself and heirs in possession of and in certain lands and tenements, and of two mills and fishings lying in Halton, and worth before the troubles £85 a year, for which his fine was set at £170. He was also seized of a like estate in reversion to come to him at the death of his father, Thomas Carus, of certain old customary rents of the yearly value of £11. Fine, £66. Also seized of a like estate in certain fee farm rents and other small tenements in Halton, worth yearly £24. Fine, £48. He was seized in reversion at the death of his father of a mill lying in Skirton, worth £30 a year. Fine, £30. If he survived his father he, if the term so long continued, was possessed of the remainder of a term of ten years in certain lands lying in Wharmore,¹ worth yearly £28. Fine, £14. That he was seized in fee to him and his heirs in reversion of certain desmesne lands lying and being in Westhall and Whittington, worth yearly £139. Fine, £139. Total fine, £467. He stood indebted to various persons in sums amounting to £467.

fo. 645. Petition, 7 January, 1650[-1]. "These papers to be considered of."

fo. 646. Receipt, dated 3 July, 1650, for the full amount of fine, £516. 10s.; signed by Rich: Waringe.

fo. 646. Petition, 2 August, 1650, which mentions that

¹ *I.e.*, Quernmore.

he had paid the fine but stated that he could not enjoy the benefit of his composition because the then late Commissioners below were adversaries of his and had put one Thomas Whitehead into petitioner's estate as "Farmer," and he kept petitioner out of possession, pretending title to part of the demesnes in Halton, so that petitioner was no better off after his composition; that his rents were detained from him; and other matters: prayed for an order for the peaceable enjoyment of his estate, and that he might receive the arrears of rent due to him.

Memorandum. "2 Aug., 1650. The Com^{rs} in the Country to examine who was in possession at the time of sequestracōn and for whose Delinquencie the same was sequestered, and wh^t is the reason the pet^r enjoys not w^t hee compounded for, and to Certifie to this Com^{it}tee, and in the meane tyme the rents to be detained in the tennts' hands."

fo. 647. Petition, dated 27 November, 1649, in which he referred to a former petition which had been considered, and he had paid a fine of £516. 10s., but possession was refused him by the Lancashire Commissioners; and other matters. At foot, "Rec^d, 27 Nov., 1649. Ordered that second tres goe to the Com^{it}tees of the County to require obedience to the first or to shew cause why they do not."

fo. 648. Petition. [No date, but presumably the one referred to on fo. 647.]

fo. 649. Affidavit of petitioner alleging cause of delay in prosecuting his first petition. (Sworn 31 March, 1646.)

fo. 650. Certificate, signed by William Barton, declaring petitioner had taken the National Covenant on the date mentioned above. Particular: He prayed for an allowance in his fine for monies he owed to "one Mr. North" (£100), Mr. ffetherston (£100), ffancis Nicholson (£40), Mr. Hilton (£20), Mr. ffancis Singleton (£20), Edward Wood (£20), Robert Blackburne (£10).

fo. 653. 30 April, 1646. "M^r Carus, of Halton & West-hall, in Whittington, both in the County of Lancaster, now about his Composition: halton hall and the lands belonging

to it is an impropriation, and all or most of it in the possession of Mr Whitehead, a godly minister, settled there by the pliament.

"Test: JEREMY BANES."

For George Cary see Earl of Derby.

Evan Catterall.

(First Series, Vol. lx., No. 1,968, fols. 39, &c.)

fo. 39. Petition from George Such, of London, which shewed that petitioner was seized in fee of three parcels of land in Walton-le-Dale. In February, 1640[-1], he had had communication with one Evan Catterall concerning the sale of the said lands to him, and on payment of £40 suffered him to take possession. Catterall not performing his agreement with petitioner, he (petitioner) re-entered while Catterall was in occupation as tenant at will; he was sequestered for recusancy, and the premises sequestered as his. As petitioner's deeds and witnesses to prove title were in Lancashire, he prayed for an order directing the examination of his title to be made there. (5 June, 1651.) Agreed. Mr. Reading to report.

ff. 41-44. Report, submitting to judgment that Catterall should be examined as to what his title to the premises was or otherwise whether the petitioner should not be permitted to enjoy the same and the sequestration be discharged.

fo. 45. Reference to Mr. Reading.

fo. 47. Petition (copy).

fo. 49. Affidavit of petitioner disclosing his title.

fo. 51. Affidavit of Thomas Souch, of the city of London; he mentioned that petitioner had been servant to Doctor Harvey, one of the Physicians in ordinary of the then late King.

fo. 53. Letter dated at Preston, mentioning proceedings taken by Lancashire Commissioners and enclosing copies of examinations, &c.

fo. 55. Deposition of Hugh Cooper, of Ormskirk, gentleman;

fo. 56. of Thomas Wareinge, of Ulnes-Walton, salter; and Thomas Such, of the city of London, gentleman.

(First Series, Vol. xcvi., No. 3,859.)

Letter dated at Wigan, November 5th, 1653, signed by E. Aspinwall and Ro. Massey, referring to an order of 21 September, 1653, made upon the petition of Sir Richard Hoghton, touching a tenement in Walton sequestered for the popery of one — Catterall. They stated that they had examined the records of the old Committee, and found that by an order of theirs dated 31 January, 1649[-50], grounded upon an order of the Committee of Lords and Commons dated 17 November, 1648, and another of the said Committee of the County, 27 April, 1648 (copies of which accompanied this letter), that the tenement aforesaid had been discharged from sequestration, as by the said order appeared; but, the Committee having been discharged, the said order never came to the hands of the agents till they had distrained for the rent and accounted for the same to the Commissioners, predecessors of the above, who had charged the same upon themselves in their accounts, as by the certificate of Mr. Kinge, auditor to the Commissioners in London, appeared, so that, unless the same should be discharged by the Commissioners above, the rent due from the same would have to be reported by them, notwithstanding the aforesaid order of discharge. Desiring their resolution and further orders, they left the matter to the judgment of the Commissioners above.

fo. 447. Order referring the matter to the Lancashire Commissioners.

ff. 448-9. Two communications from the old Committee of Lancaster in the matter.

For Henry Catterall see Anne Blackburne.

John Catterall, of Brindle, Husbandman.

(First Series, Vol. xiii., No. 355, fol. 407.)

fo. 407. Petition, in which admission is made that he had adhered to and assisted the King's forces in the then late wars. Referred (23 May, 1651) to Mr. Readinge.

(Second Series, Vol. li., No. 3,353, fols. 193, &c.)

fo. 193. Delinquency, adhering unto and assisting the King's forces raised against the Parliament in the late war; but had not acted since February, 1648[-9]. He petitioned 23 May, 1651, stating he had been sequestered 21 April preceding. His particular disclosed that he was seized of a messuage and twenty acres of barren ground and a windmill in Brindle, held for the term of two lives (the third being deposed by Thomas Hoghton to be dead) by lease from the Earl of Devonshire, worth yearly £9. 2s.

fo. 195. Particular.

fo. 197. Petition; referred to Mr. Readinge.

fo. 199. Affidavit of Thomas Hoghton, of Hoghton, as to the death of the third life, namely, Edward Catterall, who "dyed at Brindle aforesaid tenn yeares since at the least, and was buried at the Parishe Church of Brindle aforesaid" (sworn 13 July, 1652). Fine, £20. 9s. 6d. (27 July, 1652).

**JOHN CATTERALL, OF BRINDLE, HUSBANDMAN, AND
JOHN RANSON, OF BURY, DYER.**

(First Series, Vol. liii., No. 1,661, fols. 113, &c.)

fo. 113. Petition, by which it appeared they had been admitted to compound for their delinquencies. Petitioners' estates being small, and held by lease determinable upon lives, they could not in London prove the same, as their witnesses lived 150 miles away. They therefore prayed

that the examination might be taken before the Lancashire Commissioners, which was agreed to (3 June, 1651).

fo. 115. Separate petition of John Ranson, of Bury, dated 23 May, 1651; referred to Mr. Reading. Particular of his estate, real and personal.

For **Peter Catterall** see **Thomas Gerard**.

For **Inhabitants of Caton** see **Henry Compton**.

Robert Caulfield, of Ellil [Ellel], co. Lancaster, Yeoman.

(First Series, Vol. lxxvii., No. 2,370, fol. 271.)

fo. 271. Petition, shewing that two thirds of petitioner's estate were under sequestration for his recusancy only; he prayed, according to the Act, to be admitted to contract for the same (13 January, 1653[-4]). Referred to Mr. Reading.

For **William Cavendish** see **Earl of Devonshire**.

Robert Chantrell.

(First Series, Vol. ci., No. 4,190, fol. 473.)

(Totally destroyed by damp.)

See also under **Edward Tarleton**.

Thomas Challoner.

(First Series, Vol. vi., No. 132, fols. 441, &c.)

fo. 441. At the Committee for Compounding. Dr. Wildbore, 9 August, 1649, entered his composition, and put into his particular certain lands in Lancaster, Tarnicar, and Up-Ratcliffe of the value of £21 a year, which subsequently

were claimed for Elizabeth Barker, his daughter, and an order of reference granted into the county of Lancaster to examine the evidences as to title, returnable at the then next term.

There are certain other lands in other towns mentioned in the particular, of the value of £5. 3s. 6d. a year, which are Dr. Wildbore's own freehold.

"BE PLEASED TO MOVE That the proportion of his fine, sett according to the value £5. 3s. 6d., expressed in the particular may be accepted for the last men^oned lands. Or that the forfeiture of them may be suspended until the Com^{son} is returned, and Elizabeth's title to the former lands determined. 23 August, 1650.

SA: BARKER."

"Ordo: fact:

"Put in y^e papers of the day."

fo. 443. Report by Mr. Reading, based on an order of 29 March, on the petition of Samuel Barker, gentleman, in right of his wife, desiring the sequestration might be removed from certain lands in Rawcliffe and Tarniker sequestered for the delinquency of Thomas Challoner deceased, late husband of the said Elizabeth. He found that Augustine Wildbore, doctor in divinity, father of petitioner Elizabeth, being seized of a messuage, &c., of the yearly value of £20, by a deed then produced under the hand and seal of the said Dr. Wildbore, dated 1 August, 1638, attested by three witnesses, sealed and delivered, and possession to be given 14 November, 1638, granted to Orlando Bridgman, Esq., and Thomas Cordell, "clarke," the said premises, to hold to them and their heirs to the uses therein expressed, namely, to the use of such person or persons and for such estate as the said doctor by any deed in his lifetime in writing by him lawfully executed in the presence of two or more witnesses should limit or appoint, and for default thereof to the use of himself for life, with a power of redemption in his lifetime on payment of 5s. to the said Orlando Bridgman or Thomas Cordell, or either of them.

He found no proof of the sealing of that deed. Another deed was produced under the hand and seal of the said doctor, dated 20 November, 1638, endorsed to be sealed in the presence of four witnesses, whereby the said doctor, reciting the former deed, declared, nominated, and appointed the said Orlando Bridgman and Thomas Cordell, and the survivor of them, to stand seised of the premises to the use of Elizabeth Challenor, the petitioner's wife, she being daughter of the said Dr. Wildbore, and of her assigns for ever. But he found no proof of this deed, and he found that Dr. Wildbore petitioned on the 14th April, 1649, to be admitted to compound, and inserted in his particular the premises so settled, and his fine was set, 9 August, 1649, at a third.

"All wch, etc.,

11 July, 1650,

JO: READINGE."

fo. 445. Petition of Samuel Barker, 28 March, 1649. Referred to Mr. Readinge.

For ~~Nicholas Charles~~ see ~~Charles Gerrard~~.

Henry Charnley, of Grimzargh, Yeoman.

(First Series, Vol. lxxxii., No. 2,642, fols. 319, &c.)

fo. 319. Petition, shewing that Sir Richard Hoghton, knight and baronet, by indenture dated 5th of November, 1^o Car. [1625], demised to Alice Osbaldeston, by the name of Alice Charnley, of Grimzargh, widow (petitioner's mother), a messuage, tenement, and lands lying in Grimzargh aforesaid, to her and her assigns, for the lives of her, William Singleton, and petitioner, and the longest liver of them; subsequently Alice, by her indenture dated 4 May, 24^o Car. [1648], assigned to petitioner and his assigns all the said messuage, &c., for the remainder of the term; but as the property was under sequestration for the

recusancy of Alice, the mother, petitioner could not enjoy the premises. He himself was conformable, had taken the oath of abjuration, was never convicted of recusancy, and a constant "comer to the Church;" he therefore prayed for an order to examine the contents of his petition, which was granted, 17 July, 1655. Mr. Reading to report.

Hugh Charnely, of Baughton, Husbandman.

(First Series, Vol. lxxxii., No. 2,642, fol. 317.)

fo. 317. Petition shewing that two thirds of his estate were sequestrated for recusancy only; he therefore prayed to be admitted to compound for the same (18 January, 1653[-4]). Referred to Mr. Reading.

(First Series, Vol. xxx., No. 950, fols. 959, &c.)

ff. 959-63. Report of Mr. Reading, dated 8 September, 1654, on a petition of James Holland, gentleman, of Heskin, and Seth Blackhurst, draper, desiring the sequestration of certain lands in the county of Lancaster to be discharged, the said lands having been granted to them for raising portions and paying the debts of Henry Charnely, the same having been sequestrated for the recusancy of Hugh Charnely, father of the said Henry.

He found that it was certified by the Lancashire Commissioners the 28th April, 1654, in pursuance of an order dated the 23rd March preceding, that two thirds of the premises were in the year 1643 sequestrated for the recusancy of Hugh Charnly then deceased, and had so remained under sequestration.

It was deposed by Christopher Taylor, sworn before the said Commissioners the 27th of April, 1654, that the said Henry Charnly was the eldest son and heir of Hugh Charnly deceased, who died four years then ago. Deponent was present at his death and burial. That by indenture dated the 16th February, 1653[-4], made between the

said Henry Charnly, of Urton, *alias* Durton, in the county of Lancaster, yeoman, of the one part, and the petitioners, James Holland, gentleman, and Seth Blackhurst, of the other, he, the said Henry Charnly, in consideration of the satisfaction and payment of his debts mentioned in a schedule thereunto annexed, and for raising portions for the daughters of the said Henry Charnly and Elizabeth his wife, and in consideration of 5s., demised to petitioners, their executors, administrators, and assigns, all those the messuages, houses, cottages, lands, tenements, hereditaments, &c., in Durton, Haighton, ffarnhalgh, Whittingham, and Broughton, or elsewhere in the county of Lancaster, and the reversions and remainder thereof (all that messuage wherein the said Henry Charnly then dwelt, and those parcels of ground named the "hall acre" and the "hook" [?] in Urton *alias* Durton, and one parcel of ground called the "meadow" in Haighton excepted), to have and to hold to the said James Holland and Seth Blackhurst from the date thereof for twenty-one years under the rent of a peppercorn, upon trust that the said James Holland and Seth Blackhurst should, out of the rents received during the said term, discharge all the debts owing by the said Henry Charnly, and after such payment then out of the said rents pay £60 to each of the daughters of the said Henry Charnly at such time as she should have attained the age of twenty years or should be married, if a sufficient sum were then received; if not, in such short time as the accumulated rents would permit; after then, the profits arising for the unexpired portion of the term to remain to the only use of the said Henry Charnly. The indenture was produced and proved by William Werden (one of the witnesses endorsed). The creditors of the said Henry Charnly were William Langton (£40), Seth Blackhurst (£20), Richard Newsham (£54. 10s.), William Melling (£11. 10s.).

Henry Charnely, sworn, deposed that he was indebted to the said persons in the sums named, and unable of himself to discharge them without passing his estate for

that purpose, and that he did by his deed in writing dated 16 February, 1653[-4], convey and assure unto the petitioners all his lands as above mentioned, to the end and upon trust that they should discharge the said debts (which were at the time he deposed altogether unsatisfied), and, after payment of the said debts, portions were to be raised for his daughters, and not before; and he deposed that until the said sums of money should have been paid and the portions raised he was not to receive any benefit of the lands granted. Evidence was also adduced as to the *bona fides* of the debt due to Mr. Newsham, also that Henry Charnly then had two daughters living: Ellen (two years old), Mary (one year old).

"And this is all I finde in the said case, which is submitted to y^r Judgm^t."

(Signed) JO. READINGE.

fo. 966. Order of reference to the Lancashire Commissioners dated 23 March, 1653[-4].

fo. 967. Petition (copy) same date.

fo. 969. Interrogatories to be administered on behalf of petitioners.

fo. 971. Examination of Christopher Taylor, of Haughton, yeoman, and of William Werden, of Preston, gentleman.

fo. 973. Cross-examinations of William Werden and Henry Charnley.

fo. 976. Communication dated at Ormskirk, 28 April, 1654, signed by E. Aspinwall and Ro: Massey, enclosing copies of examinations taken, and referring to other matters in the case.

fo. 978. Affidavit of Hugh Wadsworth, of Haughton, yeoman, as to the amount owing to Mr. Newsham, sworn before the Commissioners, 30 May, 1654.

fo. 979. Certificate dated May 29th, 1654, signed by Tho. Browne, auditor, exhibiting that the name of Henry Charnly was not mentioned in the Lancashire returns as having been under sequestration.

fo. 982. Certificate as to the proceedings taken in the case. Also certificate signed by Tho. Fowle, declaring that

in the books in his custody there was no record against Henry Charnly as having been convicted of recusancy.

fo. 983. Petition (23 March, 1653[-4]) on which the report of Mr. Reading is based.

Oliver Charnely and William Cottam.

(First Series, Vol. c., No. 4,049, fols. 539, &c.)

fo. 542. Letter dated at Preston, 10 July, 1651, signed by Robert Cunliffe and G. Pigot, mentioning that in observance of an order of the 20th May then last, made in the case of Banaster Maynard, Esq., son and heir of Lord Maynard, they had examined witnesses for proof of the matters alleged in the said petition, and certified that two thirds of the one tenement expressed in the petition were sequestrated for the recusancy of William Cottam, and two thirds of the other for the recusancy of Oliver Charnely, as was in the petition alleged.

fo. 539. Examinations taken at Preston the 5th July, 1651, of John Billington, of Woodplumpton, yeoman, aged 38, who said that Oliver Charnely and William Cottam, of Woodplumpton, did severally hold a messuage and about fourteen acres of land in Woodplumpton, in a place there called Lewth, by force of a lease made the 2nd February, 33^o Elizabeth [1590-1], made between Edward Warren, of Poynton, co. Chester, Esq., then lord of the manor, and Henry Barton, Anthony Charnely, Thomas Worswick, and Richard Carter, for a term of one hundred years then next following, if Thomas Cardwell, son of Cuthbert Cardwell, of Medlar, Henry Clarkson, son of Robert Clarkson, and Leonard Ambrose, son of William Ambrose, of Cotforth Hall, or either of them should so long live; and he said that the said Sir Edward Warren afterwards sold the inheritance of the said manor of Woodplumpton, whereof the said messuages were parcel, to Sir Robert Banastre and his heirs, who thereupon received the rents, that all the persons in the said lease mentioned and Thomas

Cardwell and the other lives were dead, Leonard Ambrose being the last, and he died about two years ago. Sir Robert Banastre intended leasing the messuages to the several tenants, but, being taken of a sickness of which he died, he disposed of the whole manor of Woodplumpton to the use of Banastre Maynard (petitioner), son of Lord Maynard. The leases of the two messuages in the petition mentioned had expired twelve months before the said Oliver Charneley and William Cottam were sequestrated for (as deponent believed) their recusancy and not delinquency.

fo. 540. Nicholas Watson, of the same place, deposed to the like effect.

ff. 543, 5. Depositions of Edward Brown [part missing], John Duddell, William Cottam, and Ellen Charneley.

fo. 547. Letter on the same subject, dated at Preston the — April, 1652.

Ann Charnock, of Leyland, Widow.

(First Series, Vol. xiv., No. 363, fol. 77.)

fo. 77. Petition praying that two thirds of her land, which had been sequestrated for her recusancy, should be discharged. She was seventy years of age. (14 January, 1653[-4].) Referred to Mr. Reading.

For Elizabeth Charnocke see John Abbot.

John Charnock.

(First Series, Vol. cxiii., No. 7,094, fol. 365.)

(Totally destroyed by damp.)

See Ann Holgneur.

Robert Charnock, of Astley, Gentleman.¹

(Second Series, Vol. xxxix., No. 2,279, fols. 851, &c.)

fo. 851. Delinquency, deserting his habitation and resorting to the garrison against the Parliament, being in Lathom garrison at the surrender thereof, which was the 5^o December, 1645. He petitioned 14 April, 1647, but was unable, through owing some debts, to prosecute his sequestration before. He took the National Covenant 13 April, 1647, before William Barton, and the Negative Oath the same day. He compounded upon a particular which disclosed that he was seized in fee tail of the mansion-house called Astley, a water corn mill, and certain other messuages, lands, and tenements in the parish of Chorley of the yearly value of £64. 13s. 4d. There will remain and come to him in fee tail after his father's death the hall and desmesne of Charnock Richard, and certain messuages, lands, and tenements there of the yearly value of £42. 3s. 4d.

fo. 853. Report based upon an order of the 22nd May, 1649, upon the petition of compounder desiring to be admitted to compound on a new particular. In this report the property held by compounder is described as an estate tail in possession of two parts of a capital messuage called Charnock Hall and the desmesnes thereof, and the water corn mill there of the yearly value of £29. 9s.; also of the third part thereof in reversion at the death of his mother, Mrs. Bridgett Charnock, worth yearly £14. 14s. 6d.; also of an estate in tail in possession of and in the capital messuage called Astley and the desmesne lands thereof, and other lands and tenements in Astley, Chorley, and Charnock Richard of the yearly value of £80. But it was

¹ Admitted to Gray's Inn, January 29th, 1621[-2]. His father, Thomas Charnock, Esq., of Astley (in Chorley parish), was M.P. for Newton-in-Makerfield in 1624, 5. John Charnock, mentioned above, was (presumably) a younger brother of Thomas and Roger Charnock.

found that Thomas Charnock, Esq., compounder's father, by deed dated 23 September, 1644, according to a power formerly reserved to him upon settling the estate in Septimo Caroli [1631] did charge the last mentioned premises with the payment of £300 unto Elizabeth and Eleanor, his daughters, by £60 per annum for five years after his death. That he died at Pentecost, 1648, being no delinquent, which assurance for the said £300 had been allowed by the Committee of Sequestrations for the County of Lancaster, as appears by their order of December 5th, 1648. It was also alleged that compounder's mother, Bridgett Charnock, was in possession of the third part of the said last mentioned premises as part of her dower. Testified by the affidavits of Robert Charnock, Esq., and William Walker, gentleman. Compounder craved an allowance of £600 due to William Wall, Esq., on a judgment obtained in Trinity Term, 5^o Car. [1629], against compounder's father; also £400 due to William Pennyfather on a judgment in 5^o Caroli, and the premises extended for the debt; also for two other debts of £200 each on which a judgment of outlawry had obtained in the 3rd and 5th of Charles I., one of these by Arthur Ainscombe, the other by Gregory Goose. Fine, £260 (8 June, 1649).

fo. 855. Order by the Committee at Goldsmiths' Hall, London, upon the petition of compounder, admitting him to proceed upon a new particular, signed Jo: Leech, dated 22 May, 1649.

fo. 857. Particular.

fo. 860. Petition, received 22 May, 1649, in which petitioner mentioned that since the report in his matter had been drawn up his father had died; desired to have it referred back to the Sub-Committee with power to amend, which was conceded.

fo. 862. Original petition, dated 14 April, 1647.

fo. 863. Original particular.

fo. 865. Certificate, signed by William Barton, certifying that petitioner took the National Covenant before him on Tuesday, 13 April, 1647.

fo. 866. Certificate, signed by Tho. Vincent, that he took the Negative Oath before him on the same day.

fo. 867. Certificate from the Committee of the County of Lancaster exhibiting that immediately after the surrender of the garrison of Lathom petitioner rendered and submitted himself to the obedience of all orders and ordinances of Parliament, had since lived quietly in the Parliament's quarters, given free quarter to Parliamentary soldiers, paid all taxes imposed upon him by any ordinance of Parliament, but by reason of some engagement of debts upon him was unable till then (22 April, 1647) to prosecute his composition.

(Signed) P. HANLEY.

G. IRELAND.

J. BOOTH.

PETER EGERTON.

JOHN HOLCROFTE.

fo. 869. Affidavits of petitioner relating to the incumbrances on the property created by his father, sworn before William Hakewill, 17 May, 1647.

fo. 1,113. Petition of Henry Fleetwood, of Preston, gentleman, and others, trustees for Elizabeth and Elenor Charnocke, daughters of Thomas Charnocke, of Astley, Esq., deceased, which shewed that the said Thomas Charnocke did by his indenture tripartite, dated 30 September, 7 Charles I. [1631], convey and settle all his lands in Astley, Chorley, and Charnocke Richard for certain uses in the said deed mentioned, and therein excepted the hall of, and the desmesne lands thereunto belonging, as well as the moiety of the manor of Heath Charnock with its appurtenances, by which deed he reserved power to himself to charge all and every of the premises (except the before excepted) with any yearly rent charge or annuity not exceeding £100 per annum. He afterwards, by indenture dated 23 September, 20 Charles I. [1644], granted and assured the yearly sum of £60 to petitioners in trust for the use of the said Elizabeth and Elinor Charnocke to continue for five years, or until they should have

received the sum of £300. Subsequently to the date of the indenture the premises had been sequestered for the delinquency of Robert Charnocke, eldest son of the said Thomas, in consequence whereof petitioners could not discharge their trust, and neither the £70 [*sic*] a year or the £300 were satisfied. They prayed therefore that they might be allowed to enjoy the lands chargeable with the £300 until the same were paid, or that their case might be referred to the Lancashire Commissioners to examine and certify (18 December, 1651). "The Com^{rs} to ex: & certify, &c.; whereupon such furth^r ord^r as to iustice shall apptene."

(First Series, Vol. c., No. 3,994, fols. 109, &c.)

fo. 112. Letter dated at Preston, 27 February, 1651[-2], mentioning that in observance of an order of the 18th December then last, made upon the petition of Henry Fleetwood, Preston, gentleman, and others, trustees for and on behalf of Elizabeth and Ellinor Charnocke, daughters of Thomas Charnock, then late of Astley, Esq., deceased, they had examined witnesses for proof of the indenture tripartite and of the deed in the petition mentioned (copies of which were enclosed), and that the lands in question were sequestered for the delinquency of Robert Charnock, Esq., son and heir of the said Thomas.

fo. 109. Examinations taken at Preston, 24 February, 1651[-2], of Henry Butler, of Rawcliffe, and Evan Wall, of Preston, gentlemen, two of the witnesses to the indenture made between Thomas Charnock, Esq., then late of Astley, on the one part, and Henry Fleetwood, Richard Fleetwood, and Thomas Breres, gentlemen, on the other.

Roger Charnock, of Astley, Esq.¹

(First Series, Vol. xiv., No. 368, fol. 85.)

fo. 85. Petition, which disclosed that he had taken up arms against the forces raised by the Parliament; also shewed that he was then desirous of submitting to the ordinances of Parliament, notwithstanding which his estate had been sequestered. Prayed that he might be admitted to a reasonable composition. "Recd. 30^o July, 1646."

Thomas Charnocke, of Leyland, Gentleman.²

(First Series, Vol. c., No. 3,996, fols. 121, &c.)

fo. 121. Letter dated at Preston, 24 April, 1650, mentioning that the order of the 9th January then last, for discharging the estate of the above, had been received, but as they conceived his composition was admitted on some misinformation, he being a known papist and active delinquent, and at this time in arms with the rebels in Ireland (as they were informed), they had thought fit to make some stay thereof until they had acquainted their honours therewith, and they desired as therein for their further proceedings.

fo. 123. Examinations taken at Preston, 28 May, 1651.

Mary Longton, of Leyland, widow, sworn, said that about five or six years then ago she was present with and saw Thomas Charnocke, then late of Leyland, at mass in

¹ See note to preceding papers. He was admitted to Gray's Inn (*Foster's Gray's Inn Admission Register*), February 11th, 1604[-5], and was M.P. for Newton-in-Makerfield in 1614.

² No mention is made of him in the pedigrees, so far as I am aware. In *Piccopé's MSS.*, Roger Charnock, of Leyland, is stated to have married Anne, daughter of Robert Manley, of Broughton, co. Northants, and to have had issue William, Robert, Susan, and Elizabeth. An interesting note on Robert Charnock is found in the *Leyland Register*, Record Society's Publications, vol. xxi., p. 210.

Leyland, and saw him go to confession to a Popish priest there, and to the best of her remembrance he then received the sacrament from the said priest according to the Popish religion; and said that she had heard the said Thomas Charnocke had been in arms before that time against the Parliament, and since in Ireland, and at this time in France, as she had then lately heard. She being asked at what house in Leyland she saw him at mass, or what the priest's name was, she desired to be excused. John Woodcock, of Walton, said the same.

fo. 127. Examinations taken at Preston, 22 January, 1650[-1].

Anne Charnock, of Leyland, widow, mother of petitioner, sworn, said she had educated him until he was about fifteen years old in the Popish religion and then bound him to be an apprentice in London, since which time (she had heard) he had been seen to go to a Protestant church. She had heard that he had taken arms up in Ireland, whether for the King or against him she knew not, neither did she know that he was dead, but she had heard since Michaelmas then last that he was alive in France.

Susan Charnocke, of Leyland, spinster, sister to petitioner, Captain Thomas Charnocke. She confirmed her mother as to his bringing up, said she had heard that he joined the King's army in Ireland, was taken prisoner at Dublin by the Parliamentary party at the last great victory, and afterwards "shot to death." She had also heard he was alive in France.

fo. 128. Richard Orrell, of Farrington, who was a near neighbour of petitioner's, confirmed previous witnesses to his being reared a papist; further that petitioner on one occasion when in England told deponent he was in the garrison at Dublin when the same was surrendered by the Earl of Ormond, and came out on the articles. That petitioner was a person of loose behaviour, and deponent believed he had been in the service of the Parliament of England, and that once he saw him in Leyland Church.

fo. 128. Edward Whalley, of Leyland, yeoman, sworn,

said that petitioner came from Oxford in 1643, and declared to deponent that he had a commission to be a captain and to raise a troop of horse for the King's service, and brought a gentleman with him who intended to be a lieutenant, and in deponent's house Charnocke gave a man 12d. "presse money" to go with him and serve in the King's service; that he went after to Ireland, and, he believed, served under the Marquis of Ormond. In reply to a question whether Charnocke was a papist, he said a long time then since he was a Protestant, but, he believed, since the beginning of those times he was a recusant and never went to church.

fo. 132. Letter dated 10 May, 1651, Preston, accompanying these depositions.

(First Series, Vol. xxxv., No. —, fols. 608, &c.)

fo. 608. Petition from Major James Jolly, which shewed that four years then since petitioner had purchased the moiety of certain tenements and some waste land lying in Longton, Howicke, and Hutton, in the county of Lancaster, from Thomas Charnocke, of Leyland, gentleman, of the yearly value of £3 or thereabouts of old rents, and in January, 1649[-50], almost a year and half preceding date of petition, compounded at an exceedingly high rate with the committee then in power for the said estate, and the whole sum was then paid in, he having an order then granted him to free the said lands from sequestration. Petitioner exhibiting this to the Commissioners of Sequestrations appointed for Lancashire was refused by them the enjoyment of the said lands and rents, upon pretence that the said Charnocke had been a delinquent papist in arms, and was in Ireland with the rebels; thereupon he petitioned the court above, desiring that the Commissioners for Cheshire (his employment in the state's service prohibiting him then leaving that county) might examine the business and certify; which being granted, he proved a deed at Knutsford, under the hand

and seal of Charnocke, dated 17 September, 1647, and an enrolment in due form, dated the 28th of the same month, wherein the lands were sold to him for a valuable consideration, and he further said that Charnocke did usually frequent the worship of God in a Protestant church, and exclaimed bitterly against the papists and their religion, and had done good service against the Irish rebels, as appeared from a testimonial under the hand and seal of the Marquis of Ormond, dated 12 July, 1647; all which had been transmitted to the court above; thereupon an order issued requesting the Lancashire Commissioners to make a return shewing the grounds and proofs of his being a papist, as he had made a return. Petitioner prayed that the Commissioners above would take into their consideration his long-pending case, and, upon proof, give him an order to enjoy his property.

Here follows a sentence written partly in shorthand, with pencil interlineations shown by the italics.

(11 June, 1651.) "*Quere whethr the Comp^r of Charnocke upon the . . . Lanc^r, 30 May, 1651, he being a Rec^t [Recusant] when he compounded is a good composiçõn.*

"The votes equall; noe order, but respitted till anothe tyme."

fo. 610. Petition (31 May, 1650), which mentions that petitioner had borne arms from the very commencement of the then late war, and was at the time above mentioned an officer and member of the army. This petition was referred to the Court to examine and deliver judgment upon.

fo. 611. Petition (30 July, 1651), recapitulating the former statements, and stating that the evidence of two witnesses who had testified that they had seen Charnocke at mass was invalid because the testimony was taken four years after petitioner had purchased the land, and a year and half after he had compounded; also one of the witnesses had deposed that she had seen him at mass, when it was proved positively he was a prisoner in Manchester, which was twenty miles from where she swore she

had seen him. He now desired, according to a request of four members of the Honourable House of Parliament, in their letter dated 3 July then instant, that there should be restored to him all such moneys as were by him disbursed for the said fine when the said composition was made, having been paid on the 9th January, 1649. (30 July, 1651), "The case to be stated & reported to the Cotee of the Army."

(Second Series, Vol. xxxix., No. 2,249, fols. 623, &c.)

fo. 623. Delinquency; in arms in the first war. He petitioned 4 May, 1649, and compounded upon a particular which disclosed that he was seized in fee of the eighth part of the manor of Longton, with the appurtenances, lying and being in the parish of Croston, of the yearly value of £10; that he was seized in fee of ten messuages belonging to the said manor, being old rents lying in Longton, Houghwick, and Hutton, worth yearly £3. 10s. Fine, £58 (16 May, 1649).

fo. 626. Petition.

fo. 627. Particular.

For **William Chatburn** see **Thomas Winckley**.

For **Robert Chauntrell** see **Edward Tarleton**.

Anne Chawner.

(First Series, Vol. xlv., No. 1,380, fols. 658, &c.)

fo. 658. Petition from Edward Molyneux, Cuthbert, Alice, Margaret, and William Molyneux, sons and daughters of Robert Molyneux, late of Garston, yeoman.

deceased, shewing that their father, by virtue of a lease to him granted, executed by William Norres, Esq., in 1650, assigned a certain messuage and tenement in Garston, then late in the tenure of Anne Chawner, widow, deceased, for the natural love and affection and for the better maintenance of petitioners, and for payment of debts [to whom does not appear]. The said tenement having been sequestered for the recusancy of the said Anne Chawner, they prayed (being all of them conformable) for an order to examine their title, which was granted (13 December, 1654).

ff. 658*a*, 659, 660. Certificates connected with the enquiry.

(First Series, Vol. cxiii., No. 7,284, fol. 675.)

fo. 675. A letter, the foot of which is torn off, runs that, in observance of an order of 13 December, 1654, in the case of the above, they had taken the examinations of such witnesses as were produced before them for proof of the said petition, and cross-examined them on behalf of the Commonwealth, copies of which examinations, &c., they enclosed, and they certified that two thirds of the estate in the petition mentioned was in the year 1643 sequestrated for the recusancy of Ann Chawner, widow. [Documents enclosed missing.]

For Chipping Rectory see Christopher Harris.

Edward Chisenhall, of Chisenhall,¹ Esq.

(Second Series, Vol. xxxiii., No. 1,834, fols. 869, &c.)

fo. 869. Delinquency ; being newly called to the bar at Graye's Inn, he adhered to and assisted the forces raised against the Parliament. He compounded on a particular which disclosed that he was seized in fee to him and his heirs in certain lands in Chisenhall worth yearly £44 ; also of a like estate in other lands and tenements in Cophull, Wrightington, Upholland, Rivington, Lancaster, Langhtree, Preston, Hindley, and Wigan, worth yearly £22. 2s. 8d. ; also a like estate in the third part of the desmesnes of Chisenhall, worth yearly £15. 6s. 8d. ; and a like estate in other messuages, lands, and tenements in Cophull, Wrightington, Langhtree, and Rivington, worth yearly £6. 5s. 4d. ; and a like estate in the manor, capital messuage, and lands of Shivington, and chief rents and rent charges in Darcy Leaver, Bolton-in-the-Mores, and of Shivington, worth yearly £20 ; also a like estate in a certain building called "Chisenhall buildings, in Grayes Inn, high Holborne," co. Middlesex, worth yearly £12. 5s. 4d.

fo. 871. Report upon the case, by which it appeared that by a certificate produced by compounder under the hands of William Stirling, steward of Grey's Inn, that he had been called to the bar at a pension held in Easter Term, 1642, and that he never took the oath of a barrister, nor was he ever in Commons since September, 1641. His original fine was £600. A note at foot of this document runs, "fined 30 Nov., 1648. Upon this review the fine at a sixth, £480."

fo. 874. Certificate of William Stirling referred to in the report.

¹ In the township of Coppull, in the parish of Standish.

fo. 876. Petition regarding the occupation of compounder's property in Gray's Inn by John Warren, Esq., Thomas Broughton and Richard Broughton, gentlemen, they having entered into possession of his chambers and refused to quit. Requests an order to obtain re-possession. Granted; "in case it appears to be his right."

fo. 877. Affidavit of Thomas Hasselden, of Gray's Inn, gentleman, deposing that he had, on behalf of compounder, demanded possession of the chambers, and was refused possession.

fo. 879. Order to the Committees of Lancashire, Middlesex, and elsewhere, to forbear all further proceedings under the orders for sequestration, he having compounded.

(Signed)	GEO. NORTON,
L. WATKINS,	JOHN ASHE,
GEO. THOMASON,	JOHN PRENEHARD.

Dated 14 April, 1649,
JO. LEECH.

(First Series, Vol. xiv., No. 369, fols. 109, &c.)

fo. 109. Petition, referring to previous arrangements made for hearing his cause, and mentioning that he himself lived 150 miles from London, that the solicitor whom he had engaged had been taken sick and died "in this town" [but no place mentioned]. Prayed for the appointment of another day "as speedily as may bee" (no date).

fo. 112. Petition (28 January, 1651 [-2]).

fo. 113. Report upon an order, 3 September, 1650, by

Mr. Reading. He found that Margaret Houghton,¹ relict of William Houghton, Esq., reciting by deed dated 6 May, 1647, that she was then seised of the manor of Shevington, and of a third part of the desmesne lands of Chisenhall with their appurtenances for term of life as tenant in dower, the reversion in fee expectant to Edward Chisenhall, her son (petitioner), she by deed, in consideration of £140, granted to petitioner all her estate in the said premises, to have and hold the same to him, his heirs, and assigns for ever. On 13 September, 1648, petitioner compounded at "Goldsmithall" (amongst other things) for all the said lands coming into his possession by virtue of a release of dower then lately made unto him by his mother, Margaret Houghton, and, as appeared by a certificate under Mr. Waring's hand, had paid all his fine (£180). In his petition he alleged that the Commissioners had re-sequestered the lands, alleging that the said Margaret Houghton at the time she made the deed was a recusant, and they had ordered petitioner to be accountable for all the profits since his former composition. Petitioner desired that the Commissioners in the country might be superseded, and his possession continued according to his composition; or, if the deed were invalid, that he might have possession for a certain time, to run up the money which by his particular he had paid for the premises, and the money to be repaid and the sequestration to proceed (4 February, 1650[-1]). Mr. Reading offered no remarks. The petition on folio 112 refers to these proceedings and report, and enters minutely into the matter, as the deed of the mother appears to have been considered wanting in *bona fides*. The prayer

¹ She was the daughter and heir of Nicholas Worthington, of Shevington, Esq., William Hoghton, of Park Hall, Esq., being her second husband. Her first husband was Edward Chisenhall, Esq., father of the petitioner. His name appears in the Subsidy Roll of Leyland Hundred in 1628, and he compounded for knighthood 8 September, 1631, his fine being set at £25. He died in 1635. The date usually given for his marriage with Margaret Worthington (1571) is obviously incorrect. Edward Chisenhall, the petitioner, was born about 1618.

of this petition was that he might have an allowance of the fine he had paid for the premises, and that he might become "Farmer" at the same rate as the premises were then being set. At foot, 28 January, 1651 [-2]: "Res[olved] We cannot relieve the petr."

fo. 115. A report on the matter by Mr. Brereton (4 February, 1650 [-1]).

fo. 116. Petition (3 September, 1650) on which the report (4 February, 1650 [-1]) is based.

fo. 118. Affidavit of Richard Melling, of the parish of St. Martin's, London, "batchelour," declaring that he was present and witnessed the execution of the deed by Margaret, mother of petitioner, and relict of William Houghton, of Parke, Esq., deceased, dated 6 May, 1647; sworn in London, 24 October, 1650.

fo. 120. Receipt signed by Rich. Waringe, 13 January, 1650 [-1], for £240, balance of £480, being the full fine levied on petitioner.

fo. 121. Particular of petitioner's estate:—lands in Chisenhall worth £40 a year to him and his heirs; a like estate in Cophull, Wrightington, Upholland, Rivington, Lancaster, Langtree, Preston, Hindley, and Wigan, worth £22. 2s. 8d., of which £20 were old rents; the property assigned by his mother worth £15. 6s. 8d. yearly; other messuages in Cophull, Wrightington, Langtree, and Rivington, worth £6. 5s. 4d. yearly; the manor, capital messuage, and lands of Shevington; several chief rents and rent charges arising in Darcy Leaver, Bolton-in-the-Moores, and Shevington, £20 a year; also certain buildings called "Chisenhall buildings, in High holborne, in Com Midd," of the yearly value of £12. 5s. 4d.

Bridgett Chorley, of Chorley, Spinster.¹

(First Series, Vol. xiv., No. 383, fols. 433, &c.)

fo. 433. Petition, which shewed that petitioner's brother, Richard Chorley, gentleman, by deed dated 27 August, 2^o Caroli [1626], for a consideration therein mentioned, granted to petitioner an annuity or rent charge of £20 a year for her life, issuing out of his lands in the county of Lancaster, which had been paid till four years then previously, when two thirds thereof became sequestrated for petitioner's recusancy. Prayed for an inquiry (16 December, 1651).

fo. 443. Petition of Bridgett Chorley, spinster (5 May, 1652). Referred to Mr. Readinge.

fo. 445. Report by Mr. Reading in the matter of Bridgett Chorley, spinster, by which it appeared that Richard Chorley, by indenture dated 27 August, 1626, in consideration of £300, granted to petitioner, his sister, an annuity of £20 a year for life out of his lands, &c., lying in Chorley, Walton in Dale, Newton in Mackersfield, Whilton [Wheelton], and Charnock Richard, payable at Easter and Michaelmas, and the said Richard delivered threepence to petitioner in the name of seisin thereof. Submitted to judgment whether the said third part of the said rent charge shall not be continued to petitioner out of the said sequestered estate, she making oath before the Commissioners in the country that she hath not released

¹ Daughter of William Chorley, of Chorley, Esq., and Elizabeth, his wife, who was daughter of John Crosse, of Crosse Hall, Esq. "Briggett Chorley, spinster," appears in the Recusant Roll of 1628. There were two families known as Chorley, of Chorley; to the one belonged the Bridgett Chorley, spinster, of these papers, and Richard Chorley, mentioned in the papers which follow those of Bridgett Chorley, widow, who belonged to the other.

or discharged her interest therein or received other satisfaction for the same (15 June, 1652).

fo. 447. Petition (copy), 16 December, 1651.

fo. 449. 16 December, 1652. Order of reference to Lancashire Commissioners.

fo. 451. Petition, 5 May, 1652, upon the former order, desiring that a reference and report may be made in a short time, so that she "should be allowed according to Justice, she having noe other estate for her livelyhood."

fo. 453. Order of equal date to Lancashire Commissioners to examine and refer to Mr. Reading.

(First Series, Vol. c., No. 4,034, fols. 427, &c.)

fo. 430. Letter dated at Preston, 4 February, 1651 [-2], signed by Robt. Cunliffe and G. Pigot, mentioning that in observance of an order of the 16th December then last, made upon the petition of the above, touching a rent charge of £20 a year issuable out of the lands of Richard Chorley, of Chorley, gentleman, petitioner's brother, a papist, they had taken the examination enclosed for proof of the deed in the petition mentioned, and certified that by an order of the then late Committee for the county a third part of the said rent charge had been allowed to petitioner, she being sequestrated for recusancy only.

fo. 427. Examination taken at Chorley, 30 January, 1651 [-2]. Robert Holden, of Holden, Esq., sworn, said that he was present when Richard Chorley, of Chorley, gentleman, sealed and delivered a deed in paper (shewn to deponent), dated 27 August, 2^o Charles [1626], made between the said Richard Chorley on the one part, and Bridget, his sister, on the other, and mentioned also the names of William and Alexander Chorley, other witnesses, the latter of whom, deponent believed, was then living in London, the former dead.

Bridgett Chorley, of [Chorley], Widow,¹

(First Series, Vol. xiv., No. 383, fols. 436, &c.)

fo. 436. Petition, in which she stated that she had never acted anything prejudicial to the Parliament or Commonwealth of England, yet her whole estate is under sequestration for recusancy only. Prayed that she might have a third part of it for the maintenance of herself and children. Ordered, if for delinquency, a fifth; but if for recusancy only, a third (17 October, 1650).

fo. 440. Duplicate petition, 17 December, 1651.

fo. 441. Communication dated at Preston, 20 November, 1650, mentioning that by an order from the Commissioners for Compounding of the 17th October preceding, upon the petition of Bridgett Chorley, desiring an allowance of a third of her estate, it had accordingly been allowed with the arrears from 24 December then last.

**Richard Chorley, of Chorley, Esq., and Margaret,
his Wife.²**

(First Series, Vol. xiv., N5. 369, fols. 431, &c.)

fo. 431. Contract for purchase by Edward Robinson, Esq., 23 March, 1652 [-3], of two capital messuages, with

¹ Her husband was William, eldest son of William Chorley, of Chorley, Esq., and Alice, his wife, daughter of James Anderton, of Euxton, Esq.

² She was the daughter of John Ditchfield, of Ditton. Richard Chorley, her husband, was the eldest brother of Bridget Chorley, spinster, of a previous paper. "Richard Chorley, gen^r, et Margaret, vx^r eius," appear in the Recusant Roll of 1628, and "Richard Chorley, of Chorley, gent.," compounded for knighthood 8 September, 1631 (fine, £10).

several tenements, lands, &c., in Chorlie, and Walton, near Liverpool, together with all lands, tenements, and hereditaments in the several townships of Chorley, Heley, Walton, Charnock Richard, and Walton-in-le-Dale, late the estate of Richard Chorley.

fo. 434. Petition, praying for a fifth of her husband's rents, for the maintenance of herself and children, her husband's estate being under sequestration for his delinquency and recusancy.

John Cbrichlowe, of Clayton, Husbandman.

(First Series, Vol. lxxxii., No. 2,633, fol. 283.)

fo. 283. Petition, shewing that two thirds of petitioner's estate had been sequestered for his recusancy only; he therefore prayed to be admitted to contract for the same (13 January, 1653 [-4]). Referred to Mr. Reading.

Thomas Clarkson, of Heysham.

(Second Series. Vol. liv., No. 3,614, fols. 498, &c.)

fo. 498. Petition; estate sequestered because petitioner had taken up arms against the State in both wars. He declared himself not to be worth £200 either in real or personal property.

fo. 499. Particular, by which it appeared that he was seized in fee of the third part of a messuage with certain lands lying in Heysham, of the yearly value of £4. 2s. Fine, £12. 6s. (May 12th, 1649).

(First Series, Vol. xv., No. 399, fol. 105.)

fo. 105. Petition on behalf of Jane, his wife, late the

widow of Richard Sherburne, gentleman, deceased, which shewed that two third parts of petitioner's property in the county of Lancaster had been sequestrated for the recusancy only of his said wife Jane. Prayed on her behalf to be allowed to contract for the same at such rates and values as should in the wisdom of the Commissioners upon consideration be thought reasonable (17 January, 1653 [-4]).

For Thomas Clayton see William Singleton.

**Dame Dorothy Clifton, Widow of Sir Cuthbert
Clifton, of Westby.**

(First Series, Vol. xv., No. 410, fols. 254, &c.)

fo. 254. Petition, which shewed that her jointure, made to her by her late husband, had been sequestered in 1647 for her recusancy, and upon her petition to the Lords and Commons and certificate of the Committee at Stafford made in her case, the third part of her jointure was allowed her by order of the 10th November, 1647, *in kind*, with the arrears due from date of sequestration, which third part she had enjoyed till the same was sequestered by the Lancashire Commissioners in pursuance of general instructions. That her case had, by order, been reported by Mr. Reading, "since the midst of August last (1651), that there were fifty in course before her, but her extreme necessities were such that she, having nothing but her said third part, was compelled to supplicate the Commissioners to allow her to receive her rents, she giving security till her cause could be heard" (26 November, 1651). Ordered on security being given.

fo. 255. Report by Mr. Reading. He found that on her marriage with Sir Cuthbert, he, by indenture dated

8 October, 1611, granted to Sir Francis Smith, knight, and others, such part and parcel of the capital messuage and mansion-house of Westby, and the demesne lands and windmills in Westby (except such part of the desmesnes as were then in the occupation of Alice Clifton and Jane Stanly), and a close of land, meadow and pasture, called Broadmeadow, and all other messuages, lands, tenements, hereditaments, rents, reversions, services whatsoever, except before excepted in Westby, Plumpton Major, and Plumpton Minor, or either of them; and by the same deed he further granted an annuity or rent charge of £63. 6s. 8d. a year, issueing out of the desmesnes land in Lytham, in the said county of Lancaster, to have and hold the said annuity or rent charge to the said Sir Francis Smith and others and their assigns for the life of petitioner to the uses comprised in certain indentures, dated 8 October, 1611, and made between the said parties, whereby the same are declared to be for and in lieu and full satisfaction of the jointure and the recompense of the dower of the said petitioner. He found, on referring to the former proceedings before the Lords and Commons and the certificate by the then Committee of Stafford, that she had been allowed the third part of her jointure. After further reviewing points in the case, he submitted for judgment "whether there shall need any other proof of the said deed, being made so long then since." And whether the petitioner should not be permitted to enjoy the third part of her jointure, the sequestration notwithstanding (13 August, 1651).

fo. 259. Petition, dated 22 July, 1651, referred to Mr. Reading to report.

fo. 260. Duplicate petition.

fo. 262. 10 November, 1647, copy of original order granting the allowance of one third.

fo. 263. Copy certificate declaring that there was no

record in the Staffordshire books against petitioner except as a recusant.

fo. 265. Wigan, 1 February, 1647 [-8]. Peremptory order by Lancashire Committee, signed Peter Edgerton, J. Bradshawe, Edw. Butterworth, addressed to sequestration agents, directing them to obey the order of the Committee of Lords and Commons, "and observe the same in all things as thereby is required."

fo. 267. Copy order of Lords and Commons Committee, directing the allowance of a third *in kind* and the arrears down to November, 1647.

fo. 269. Affidavit of petitioner.

Gervas Clifton, of Westby, Gentleman.

(First Series, Vol. xv., No. 410, fol. 248.)

fo. 248. Petition, in which petitioner pointed out that his estate had been sequestered for his recusancy and delinquency in mistake; he prayed for an order granting him the heads of the charges against him, and names of the witnesses, with liberty to cross-examine, &c. (August 3rd, 1652). Prayer granted.

fo. 221. 5 August, 1653. Contract for the purchase by John Wildman and Phillip Eaton, Esqrs., of several messuages, lands and tenements, in the parish of Lancaster late parcel of the estate of Jeruis Clifton.

fo. 223. 5th August, 1653. Contract for the purchase by Phillip Eaton, Esq., of several messuages, lands, and tenements, in the several occupations of Isabell Knipp, John Taylor, Jaymer Baynes, Richard Lee, John Smith,

Edward Dickenson, and Lawrence Singleton, or their assigns, late parcel of the estate of Jeruas Clifton, Esq., in Stalmine, county of Lancaster.

John Clifton, of Lytbam, Gentleman.

(First Series, Vol. lxx., No. 2,224, fols. 425, &c.)

fo. 425. Petition from John Whitfield on behalf of John Clifton, of Lythome, co. Lancaster, gentleman, a lunatic, which shewed that 3 February, 1647 [-8], the Committee of Lancashire having been satisfied by good proof that an annuity of £30 a year was due to the above John Clifton for life, they ordered the same to be made to petitioner for the use of Mr. Clifton, which, during the power of that Committee was regularly paid, but the then new Commissioners had suspended the payment; petitioners therefore prayed for an order directing the Lancashire Commissioners to resume payment, and other things. (No date or order.)

WILLIAM WHITFIELD, on behalf of JOHN CLIFTON, of Lathom, Gentleman, a Lunatic.

(First Series, Vol. xcix., No. 3,961, fol. 363.)

fo. 363. Letter, dated at Preston, 6 August, 1651, signed by Robt. Cunliffe and G. Pigot, mentioning that by an order of the 12th February, then last, made upon the petition of the above on behalf of John Clifton, touching an annuity of £30 a year due to him for life, they were to examine and certify the matters in the petition; in observance whereof they stated that their agent for

Amoundernes Hundred had informed them that he had paid the annuity during the time of the then late Committee, and that he could not shew any reason on behalf of the Commonwealth why it should not then be paid as formerly.

**Thomas Clifton, of Clifton, Esq., and Anne, his
Wife.**

(First Series, Vol. xi., No. 276, fols. 4, &c.)

Petition from Roger Bradshawe, which shewed that petitioner had purchased of the trustees at Drury House for sale of delinquents' lands several lands and tenements in the township of Kirkham, late parcel of the estate of Thomas Clifeton [Clifton]. One of the lots in the purchase was under lease for life to one George Croke, who was a recusant, and this lot was sequestered, he being dead; the lot was surveyed and included in the parcel sold to petitioner, but the sequestration had not been removed, nor would the Lancashire Commissioners remove it without an order from London. Prayer that the Commissioners in Lancashire should be required to discharge the sequestration, evidence being made that the heirs of George Croke had no right or estate in the premises. 19 June, 1655. "The Co^{rs} to Ex: & Certifye as in like cases."

(First Series, Vol. xv., No. 410, fol. 217, &c.)

fo. 217. "Gent,

The Estate of Thomas Clifton, Esq., being exposed to sale for the use of the Navy, a messuage or tenement with the lands and appurtenances thereto

belonging, in the township of Kirkham, in y^e County of Lancaster, in y^e occupa^{ti}on of Margaret Styth, was surveyed and returned as the Estate of the said Thomas Clifton, and by us since conveyed unto Roger Bradshaw, Esq^r, accordingly, but the same being (as we are informed) in Lease unto one George Crooke for his Life, and formerly sequestred for y^e Recusancy of the said George, who is since deceased (as we are likewise informed). The Com^{rs} for Sequestra^{ti}on in the s^d county refuse to take off their hands from the same because in yo^r order directed to them there is this clause, "if y^e same be sequestred as y^e estate of Thomas Clifton." Wee desire, therefore, that in case y^e truth of y^e s^d Alliga^{ti}on appeare unto you, that you will add such additionall direc^{ti}ons unto yo^r fformer Order that y^e purchaser be not obstructed in the possession of what he hath bought, which wee leave to yo^r considera^{ti}on, and rest

"Yo^r affeconate friends to serve yo^u,

WM ROBINSON,

WI: LISLE,

"Drury House, y^e

24 March, 1654.

ARTHUR SAMWELL,

HENRY SEALEY,

WM SKYNNER."

"rec^d. 10 Apl. 55."

[*Superscription.*] "To the Hon^{ble} the Com^{rs} for compounding sitting att Haberdashers' Hall, These."

"William Layton, of London, Gent., maketh oath thatt hee received this letter from y^e trustees att Drewray House for y^e saile of Delinquent's lands.

WM. LAYTON.

Sworne before y^e Com^{rs} this 10th of Aprill, 1655.

B. W."

[This is written on the outside, facing the address.]

fo. 225. 29 March, 1653. Contract for the purchase by Major John Wildman, Esq., of the manor of Marton Parva and Lytham, and the appurtenances, with several messuages, cottages, lands, tenements, &c., in the "Town, pish, and ffeelds" of Kirkham, county of Lancaster, late parcel of the estate of Thomas Clifton, and Styth her tenement in Kirkham (late George Croper's), being bought in present possession.

fo. 227. 13 May, 1653. Contract for the purchase by Major John Wildman, Esq., of the manor of Clifton *cum* Salwicke, with the lands, rights, members, and appurtenances thereunto belonging, in the county of Lancaster, late parcel of the estate of Thomas Clifton, Esq.

fo. 229. 13 April, 1653. Contract for the purchase by Major John Wildman, Esq., of the manor of Westby, with the lands, &c., belonging, late parcel of the estate of Thomas Clifton, Esq. (and the late wife of Jervas Clifton, James Taylor, Robert Lawrenson, and Thomas Clifton).

fo. 231. March 29th, 1653. Contract for the purchase by Major John Wildman, Esq., of the manor of [Marton] Parva (duplicate).

fo. 237. Thomas Clifton, of Litham, Esq. Petition which shewed that on a former petition (11th October preceding) an order had been issued, directed to the Lancashire Commissioners, to pay petitioner's wife a full fifth of petitioner's sequestered estate, with arrears from 24 December, 1649, but they had refused to do so, so far as regarded anything out of an impropriation, part of his estate. Prayed for a confirmation of the order. "18 Decr., 1650; a full 5th of y^e whole estate."

fo. 239. Petition by same, described as of Little Lorne [?], on behalf of himself, wife, and children for a fifth part. (11 October, 1650) "ordered."

(First Series, Vol. xv., No. 410, fol. 241.)

fo. 241. Petition from Anne, wife of Thomas Clifton, which referred to the order of 18 December, 1650, and

stated that the Commissioners of Lancashire refused to allow anything out of the impropriation. Prayed for an order to the Lancashire Commissioners to pay the full fifth according to the former order. "27 Feby., 1652[-3]," ordered to obey former order.

(First Series, Vol. xxiii., No. 678, fols. 293, &c.)

fo. 293. Petition from Alexander Breres, of Marton, gentleman, which shewed that petitioner for divers years then last past had quietly enjoyed the moiety of the tithe corn and grain arising in the parish of Newton-cum-Scales, by virtue of several conveyances from John Breres, petitioner's father, and in right of Isabell, petitioner's wife, both then deceased. That the Commissioners for Sequestrations in Lancashire had then lately seized and sequestered the said tithes for the delinquency of one Thomas Clifton, upon pretence that the term in the lease under which petitioner claimed had expired, and that the said tithes had come to Clifton. Prayed that as there were then several years yet to come of the term in the lease he might have an order to the Lancashire Commissioners directing them to allow him to enjoy and receive the said tithes during the remainder of the term, or that they may take the examination of petitioner and such witnesses as he should produce, and return the same to their honours. (21 December, 1653), "Commissioners to examine and certify, and referred to Mr. Reading."

fo. 295. Petition which disclosed that the estate was sequestered 22 April, 1647. That petitioner had taken the Negative Oath and National Covenant before the — December, 1645.

A memorandum at foot in different writing states,

"That ye pet^r several tymes repayed to y^e garrison of Lathom when it was held against y^e pliamet, ffor which he's Delinquency, &c."

fo. 298. Petition, 27 February, 1650[-1], which shewed that whereas Edward Scaresbrick by indenture tripartite, made the 24th day of March, in the sixth year of the late

King James [1607-8], in consideration of a marriage between himself, the said Edward, and Francis [*sic*] Bradshaw, charged several manor lands and tenements in the said indenture mentioned with and towards raising the sum of £1,200 to be paid to such daughter or daughters as should be begotten by the said Edward Scaresbrick upon the body of the said Francis; and it was covenanted and agreed by all parties to the said indenture that so soon as the eldest daughter of the said Edward and Francis should attain the age of thirteen years, that all the rents, issues, and profits of the lands so charged should be paid to petitioner towards the raising of the said £1,200;

That the said Edward Scaresbrick had issue of the body of the said Francis, Ann, then living, and of the age of thirteen years, and Dorothy, of the age of four years, notwithstanding which petitioner could not receive the rents, &c., and perform the trust reposed in him, inasmuch as the said manors and lands were then under sequestration for the delinquency of the said Edward Scarisbricke; he therefore prayed for an order directed to the Lancashire Commissioners to certify their knowledge in the premises and to examine such witnesses as he should produce, and in the meantime that the sequestration might be suspended until such time as he should have raised the £1,200 to enable him to perform the trust. "27 Feby., 1650[-1], Com^{rs} in the County to certify their knowledge, with liberty to prove the Deed before them."

fo. 300. Petition (January 13, 1651[-2]).

fo. 301. Report by Mr. Brereton, based on an order of 10 June, 1651, on a petition of Alexander Breres desiring as trustee to receive the rents, &c., of certain lands in the county of Lancaster for raising £1,200 for Ann and Dorothy Scaresbreck, charged upon the same by their father, a recusant delinquent. He found that by an indenture tripartite, dated 24 March, 1630[-1], between Edward Scaresbreck, of Scaresbreck, in the county of Lancaster, Esq., on the first part, Roger Bradshagh, Esq., and James Bradshagh, his

son and heir, of the second, and Richard Lord Viscount Molyneaux and Sir Gilbert Houghton of the third part, the said Edward Scaresbreck, in consideration of a marriage solemnised between him and Francis, daughter of the said Roger Bradshawe, and in performance of certain articles of agreement did by the said indenture, and by fine levied in Lent Assizes at Lancaster then next following, convey the manor of Scaresbreck and all his messuages, lands, &c., in Scaresbreck, Hurleston, Birchcarre, Aspinwall *alias* Asmall, Dromlesdale, Ormskirke, Sneape, Okenhead, Fleetstreet, and Barewarshill, in the said county, to Roger and James Bradshawe and their heirs, and by the indenture it was agreed that the "conusees." [cognisees] and their heirs should stand seised of the capital messuage called the Newhall, with the lands and premises thereunto belonging or therewith enjoyed, of a mill called the New Mill, of the closes called the Pasturewick, the Meadowick, the Great Widdow hey, the little Widdow hey, and the Coll Croft, and of the messuages and tenements in the tenures of Edward Jump, John Whatton, Gilbert Jackson, John Grimshagh, Matthew Hurlestowe, Ector Leigh, Peter Barton, — widow, late wife of Edward Aspinwall, — widow, late wife of Thomas Aspinwall, Wm. Holme, and — his mother, Robert Blundell, Edward Sompner, Henry Such, James Maudesley, James Walkinson, Gilbert Blundell, John Sefton, John Fornby, Edward Sompner, James Blundell, Peter Cropper, — widow, late wife of Gilbert Sefton, Gilbert Blundell, Edward Blundell, Thomas Georsuch, John Balshawe, Richard Holme, Robt. Hankinson, Hugh Bickersteth, and Robert Hankinson, parcel of the premises to the use of the said Francis during his life, for her jointure, and in recompense of her dower; and of the rest of the premises from 2 April then next, and of the premises limited in jointure to the said Francis from her decease to the use of the said Edward Scaresbeck for life, and after to the use of his sons on the body of the said Francis, and the heirs male of their bodies according to the seniority of such sons, and for want thereof to the use

of the heirs male of the body of the said Edward Scaresbeck, and for want thereof to the use of his right heirs for ever. Provided that if the said Edward Scaresbeck should happen to have one or more daughters, that then immediately his eldest daughter shall have attained the age of thirteen all the said premises other than the said capital messuage or manorhouse called the Hall of Scaresbeck, the three little Such fields, the Hoalmes, the great Fleckbeck, the little Fleckbeck, the Damsteed, the nearest Eyes, the Barne Croft, and the little Park shall stand charged with £1,200 to such daughter or daughters; if more than one to be equally divided amongst them, as the same can be yearly levied out of the rents and profits of the premises of Edward Ireland, of Lidiote, in the said county, Esq., Wm. Bradshagh, gentleman, one of the younger sons of the said Roger Bradshawe, and the petitioner Alexander, if any of them be living at the time when such eldest daughter shall accomplish the age of thirteen years, and that the said fine shall be, and the said Roger Bradshagh and James Bradshagh shall stand seised of the premises charged with the £1,200 to the use of the said Edwd. Ireland and the others named until they should have received out of the issues the said £1,200. The indenture was produced, and the sealing and delivery deposed to by Thomas Turner, one of the witnesses endorsed. Thomas Turner further deposed that he knew Hugh Rigby, Thurstan Anderton, and James Gerrard, and that they had endorsed their names as witnesses, and were all dead. He also deposed to a "transcrip" at the foot of the said fine, and that it agreed with the record remaining in the Prothonotary's office at Lancaster, in which office at the time of the said fine he was, and then was, a clerk, and was present, and a solicitor at the time of the issuing out of the said fine.

Margaret Ireland, relict, and Margaret Ireland, daughter of Edward Ireland, deposed that he died 1 April, 1637, and was buried in the parish church of Halsall within a few days after.

Sir Wm. Gerrard deposed that Wm. Bradshagh died 17 January, 1649[-50], and was buried in the chapel adjoining the parish church of Wigan, "Mr. Bradshagh's chapel." Henry Ashton, who was present at his burial, confirmed Sir Wm. Gerrard.

Elizabeth Blundell deposed that she knew that the said Edward Scaresbreck had one daughter, begotten on the body of Francis his wife, called Ann, the first and eldest daughter, who had attained the age of thirteen years, 31 March, 1650, and knew he had another daughter by the same wife, whose name was Dorothy, and that both daughters were living on the 29th of January, 1651[-2], and that Dorothy was about four years old.

Petitioner deposed that he had often seen the said indenture tripartite, that his co-trustees were dead, and believed that the £1,200 was then all owing, and that no part of it had then been received to the use of the eldest daughter Ann, or any other for the use of the said Dorothy.

These examinations referred to in the report were all taken on the 13th January, 1651[-2], by the Commissioners for Lancashire, who also certified that the manors, lands, &c., were sequestered for the delinquency and recusancy of Edward Scaresbreck, in 1643.

He submitted to judgment, whether petitioner ought not to be permitted to enjoy the premises charged with the £1,200, until the same should have been received out of the rents and profits, he accounting yearly, that so it might appear when the said £1,200 was satisfied.

fo. 306. Order of reference to Mr. Brereton.

fo. 307. Petition, in which petitioner is described as of Latham, gentleman (copy).

fo. 309. Order, referring case to Lancashire Commissioners (copy). Communication from Preston, dated 12 April, 1651, signed by Peter Holt, Robert Cunliffe, and G. Pigott, enclosing examinations, &c., in the case.

ff. 313-314. Examinations of Thomas Turner, of Preston, gentleman, and Elizabeth Blundell, of Scarisbrecke, widow.

(First Series, Vol. xxxii., No. 991, fol. 153.)

fo. 153. Petition from John Horrock, minister of Coulne, being a chapelry in the parish of Whalley, which shewed that the Committee for plundered ministers, by an order of January 15th, 1650[-1], granted petitioner £50 a year as an increase of maintenance, payable out of the profits of the impropriate rectory of Kirkham, sequestered from Thomas Clifton, Esq., a delinquent, as by the said order appeared. Petitioner prayed for the payment of the said augmentation, and desired an order upon the Sub-Commissioners of Lancashire for that purpose. 19 February, 1650[-1] "Ordered."

(First Series, Vol. xlviii., No. 1,485, fols. 879, &c.)

fo. 879. Petition from Lieut. William Parr, of the county of Lancaster (under the command of Colonel Ireland), which shewed that one Gervas Clifton, of Lithom, co. Lancaster, in August, 1650, in consideration of satisfying some monies theretofore due to petitioner, and of £100 paid then in hand, by his deed poll gave and granted and assigned two rent charges to petitioner of the value of £30 and £10 each during his life, issuing out of certain manors, lands, and tenements in the said county, then late the inheritance of Sir Cuthbert Clifton, and in the possession of Thomas Clifton, Esq., a delinquent. His estate having been sequestrated, he, Thomas Clifton, pretended to discharge the same, so that petitioner might have and enjoy the said annuities with the arrears; in expectation thereof petitioner had forborne to seek his relief, consequently the annuities were in arrear, and could not be enjoyed without their Honors' order. Petitioner had power by his deed to distrain, but, the lands being under sequestration, he had forborne so to do; he therefore prayed for an allowance of the two annuities; if not, that he might (without offence) distrain, according to his deed,

for the same. 30 December, 1651. "Ord: That the Comrs ex: & certify & ref^d to Mr. Brereton."

fo. 881. Second petition dated 5 August, 1652.

(First Series, Vol. ci., No. 4,068, fol. 73.)

fo. 73. Letter, dated at Preston, 24 February, 1651[-2], signed by Edw. Aspinwall, Robt. Cunliffe, and G. Pigot, mentioning that by an order of the 30th of December, made upon the petition of Lieut. William Parre, touching two rent-charges of £30 and £10 apiece, due to Gervas Clifton, of Lithom, out of several manors, lands, and tenements in Lancashire, then under sequestration for the recusancy and delinquency of Thomas Clifton, Esq., they were required to examine witnesses for proof of the matters in the petition alleged; they had done so, and enclosed copies, and certified that the estate of the said Gervas Clifton having been under sequestration from the commencement of the year 1643, the said Gervas Clifton had never had any allowance of the said rent charge, or ever demanded the same, but was continually in the King's quarters till the taking of Shelford Manor, where he was taken prisoner, as appeared by the acknowledgment of Lieut. Parre given in under his own hand (a copy sent). As to his recusancy, as he was but young before the first wars, he could not be convicted, but his father and all the family being ever papists they believed he could never make it appear that he was conformable, nor was he then so far as they knew.

If this were not sufficient they had no doubt but that they could send up fuller information about his delinquency if required.

fo. 77. Examinations of witnesses.

(First Series, Vol. xcvi., No. 3,845, fol. 325.)

fo. 325. The tythe of the rectory of Kirkham being in lease to Thomas Clifton, Esq., from the Masters and Fellows of Christ Church College, Oxford, was under sequestration

for his delinquency. By an order from above, dated 27 June, 1650, they were ordered to pay the arrears of rents due to the college, amounting to £1,261. 4s. 2d. out of the said tithe; there were likewise several orders from the Committee of plundered ministers to pay to several ministers augmentations allowed out of the aforesaid tithe, and an order was issued from above, dated 15 October, 1650, for an allowance of a fifth of the said Mr. Clifton's estate to his wife and children. They desired the Commissioners' resolution whether it was intended that she was to have a fifth part of the tithe as part of the estate, and, if she must, then whether the same was to be paid before the rent and arrears due to the college were satisfied. "To acquaint the Commissioners."

(First Series, Vol. xxxviii., No. 1,187, fols. 601, &c.)

fo. 639. Petition from Thomas Langhorne, citizen, and skinner, of London, which shews that Sir Cuthbert Clifton, then late of Westbye, in the county of Lancaster, knight, deceased, being seized of a long term of years then to come in and of the tithes of Much Singleton, with the "Maynes"¹ within the parish of Kirkham, did, by his indenture of lease, dated 12 December, 9 James I. [1610], demise to Roger Bradshaw, of Haighe, in the said county, Esq., and John Poole, the younger, of Poole, in the county of Chester, gentleman, their executors, administrators, and assigns, all his said term of years, to have and to hold to them after his death, to the use of Cuthbert Clifton, youngest son of the said Sir Cuthbert, if the said Cuthbert, the son, should survive him; that Cuthbert, the son, by his indenture dated 3 September, 1652, did grant to petitioner for a valuable consideration all his interest in the said premises, and that he was then living; that the said tithes and "Maynes" had been sequestered for the delinquency of Thomas Clifton, of

¹ Glebe lands.

Lytham, in the said county, eldest son and heir of the said Sir Cuthbert, under the supposition that they belonged to him; petitioner, therefore, prayed for an allowance of his just rights, and that the sequestration might be discharged, the said Cuthbert, the son, never having been sequestered for any delinquency or other crime, and petitioner having ever been well affected to the Commonwealth (24 November, 1652). A copy of the above was ordered to be sent to the Cheshire Commissioners, who were to examine and return the evidence, and Mr. Reading to report.

ff. 641-648. Mr. Reading's report. After reviewing the case he submitted to judgment, whether the said Cuthbert Clifton, from whom petitioner claimed, and whom the Lancashire Commissioners certified to have been a papist, and the said Thomas Clifton, for whose recusancy and delinquency the premises had been sequestered, should not be examined concerning the title before the sequestration took place.

fo. 604. A second report by Mr. Reading, dated 20 September, 1654.

fo. 605. Order of reference to Mr. Reading (second report).

fo. 607. Communication from Lancashire Commissioners from Wigan, 22 May, 1654.

fo. 609. Interrogatories to be administered on behalf of the Commonwealth.

fo. 611. Examination of Thomas Clifton, of Lytham, Esq.

ff. 613-15. Examination of Cuthbert Clifton.

fo. 617. Order requiring petitioner to make further proof as to his title (29 June, 1654).

ff. 619-630. Copy of will of Sir Cuthbert Clifton, of Lythome, knight, dated 4 August, 1633.

fo. 631. Second examination of Cuthbert Clifton.

fo. 633. Decision after having perused the affidavits of Thomas and Cuthbert Clifton to hear the report made in the case on Thursday next after 13 June, 1654.

fo. 649. Reference (24 November, 1652) to Lancashire Commissioners.

fo. 651. Petition.

fo. 653. Affidavit of John Harrison, gentleman (sworn 23 November, 1653).

fo. 655. Certificate exhibiting that on a search no record of delinquency had been found in Lancashire, London, or Middlesex against Cuthbert Clifton.

fo. 657. Affidavit of Henry Cornish, prebendary and treasurer of Christ Church College, Oxford, who made oath that he by virtue of his office had the custody of the records of the said college wherein the leases made were registered, and that he had searched, and only found two leases upon record which related to the tithes of Singleton Major, otherwise Much Singleton, and eighteen oxgangs of glebe lands within the parish of Kirkham, parcel of the Rectory of Kirkham, the former of which said leases was made between John Abbot of the monastery of Vale Royal and the convent of the same place (to whom deponent presumed the premises did then belong before they were given to the college) of the one part, and Thomas Clifton, Esq., on the other, and was dated 27 July, 29 Henry VIII. [1537], term, sixty-three years. The other lease was made 4 November, 5 Edward VI. [1557], between the then Dean and Chapter of Christ Church College, to whom, at the dissolution of abbeys and monasteries, the premises were given, of the one part, and James Costurdine, of Moyston, in the parish of Manchester, yeoman, of the other part, from the end of the term of the aforementioned lease for sixty years, which said lease would expire in 1660, and he believed the last lease had never been surrendered.

fo. 659. Communication from Lancashire Commissioners, dated at Preston, 11 February, 1652[-3].

fo. 661. Examination of Henry Hill, of Rixton, co. Lancaster, yeoman, sworn 9 February, 1652[-3].

fo. 663. Certificate of proceedings taken.

fo. 664. Certificate, stating that it appeared, by the

accounts of Peter Rylands and John Pendlebury, agents for sequestration for the county of Lancaster from 25 August, 1643, to 1 March, 1646[-7], that the estate of Cuthbert Clifton, delinquent, lying at Southworth and Pennington, had been seized in September, 1643, but was said to have been taken off about Martinmas, 1644. Whether the said Cuthbert was son of Sir Cuthbert Clifton was not known by Thomas Brown, auditor.¹

(First Series, Vol. xxxv., No. 1,114, fol. 650.)

fo. 650. Petition from John Johnson, which shewed that he had then lately been tenant to Thomas Clifton, Esq. (whose estate was to be sold for his delinquency), and held

¹ He plainly was not. The confusion that then existed between one Cuthbert Clifton and another has not disappeared in our own days. Sir Cuthbert Clifton, of Westby and Lytham, knight (whose will, as appears above, was dated 4 August, 1633; he was buried at Kirkham, 20 April, 1634), had for his first wife Anne, daughter of Thomas Tildesley, of Morleys, Esq., and by her he had issue Thomas, his eldest son and heir; Elizabeth, who became wife of Sir William Gerard, of Bryn; and Cuthbert, referred to in the indenture of lease of 12 December, 1610, and mentioned in these papers as his youngest son. This he would then be, but Sir Cuthbert shortly after married (marriage settlement dated 8 October, 1611) Dorothy, daughter of Sir Thomas Smyth, of Wootton Walwys, co. Warwick, by whom he had issue four sons and six daughters. Thomas, his eldest son and heir (referred to in the preceding papers), married (marriage covenant dated 20 September, 1610) Anne, daughter and co-heir of Sir Cuthbert Halsall, of Halsall and Clifton, and had Clifton in right of his wife. He was 31 years of age in 1634, and was buried at Kirkham, 17 December, 1657. Their eldest son was Cuthbert Clifton, of Westby and Clifton, who married, in 1641, Margaret, daughter and sole heiress of George Ireland, of Southworth, co. Lanc., and was, there can be little doubt, the delinquent referred to in the above certificate. A colonel in the royal army he was taken prisoner at Liverpool in 1644, and died shortly afterwards without issue, his widow being afterwards married (1) to Miles Standish, of Duxbury, and (2) to Peniston Whalley, of Screveton, Notts. His uncle Cuthbert (son of Sir Cuthbert) is erroneously stated (Baines's *Lancashire*, ed. Croston, Vol. ii., p. 109) to have been slain at the siege of Manchester in October, 1642; apart from the mention here made of him, he is described in Piccope's MSS. as of Lytham in 1653 and 1658. Gervase Clifton, mentioned pp. 46, 49, was the youngest son of Sir Cuthbert Clifton by his second wife; he married Dorothy, daughter of Richard Massey, of Rixton, Esq., and was living (*Preston Guild Rolls*) in 1662.

several lands by lease in Westbie-cum-Plumpton, late parcel of the estate of the said Thomas Clifton; he desired that he might be admitted to contract for the same, according to the Act of 21 October, 1653 (no date, no order).

(First Series, Vol. xxxvii., No. 1,159, fol. 14.)

fo. 14. Petition from John Knowles, which shewed that petitioner had been then lately tenant to Thomas Clifton, Esq., whose estate had been sold for his delinquency, and that petitioner held several lands in lease in Westbie-cum-Plumpton, in the county of Lancaster, late parcel of the estate of the said Thomas Clifton. That by a then recent Act two third parts of the estates of recusants were to be sold for the benefit of the Commonwealth. Petitioner, therefore, desired that he might be admitted to contract for the lands he held, according to the said Act (no date; no order).

(First Series, Vol. xxxvii., No. 1,159, fols. 143, &c.)

fo. 143. Petition from Isabell Kirkby, of Westby-cum-Plumpton, a tenant to Thomas Clifton, Esq., whose estate had been sequestrated. The petitioner desired to be admitted to contract under the then recent Act (10 November, 1653). "Referred to Mr. Brereton to report." Memo. at foot: "Not drawn."

fo. 145. A second petition; no date.

(First Series, Vol. xxxix., No. 1,209, fol. 383.)

fo. 383. Petition from John Lasttes, which shewed that petitioner had then lately been a tenant to Thomas Clifton, Esq., whose estate had been sold for his delinquency, and had held several lands in lease in Westbie-cum-Plumpton, co. of Lancaster, late then parcel of the estate of the said Thomas Clifton. That an Act (21

October, 1653) declared that two thirds of recusants' estates were to be sold for the benefit of the Commonwealth. Petitioner desired to be admitted to contract for his holding (no date; no order).

(First Series, Vol. xliv., No. 1,351, fol. 1.)

A similar petition from Thomas Marcer. No date; no order.

(First Series, Vol. lvii., No. 1,825, fol. 352.)

A similar petition from one John Sharples. No date; no order.

(First Series, Vol. lxiii., No. 2,021, fol. 61.)

A similar petition from one Nicholas Tompson. No date; no order.

(First Series, Vol. lxxxiv., No. 2,825, fol. 290.)

A similar petition from one Richard Watmough. No date; no order.

(First Series, Vol. lxxxiv., No. 2,825, fol. 292.)

A similar petition from one Lawrence Watmough. No date; no order.

(First Series, Vol. lxxxiv., No. 2,838, fol. 348.)

A similar petition from one Andrew Lentie. No date; no order.

(First Series, Vol. lxxxiv., No. 2,853, fol. 426.)

Similar petition from John Colley, the elder. No date; no order.

(First Series, Vol. lxxxiv., No. 2,854, fol. 432.)

A similar petition from George Cowburn. No date; no order.

(First Series, Vol. lxxxiv., No. 2,854, fol. 430.)

Similar petition from one Richard Cowburn.

(First Series, Vol. lxxxiv., No. 2,854, fol. 428.)

Similar petition from one William Cowburn.

AN ACT¹
ON THE BEHALF OF THE
TENANTS
OF
CLITHEROE,
IN THE COVNTY OF
LANCASTER.

Die Martis, 30 July, 1650.

London: Printed, 1650.

(First Series, Vol. xxx., No. —, fols. 331, &c.)

ff. 331-343. Whereas, heretofore, in the Reign of King James, several Informations were exhibited in the said King's behalf (amongst others) against the Tenants and Copyholders of the several Manors of Acrington, Oswaldtwisle, Haslinden, Huncoat and Acrington, Tottington, Colne, Ightenhill, Chatburn, Worston, and Penhulton, and the Wapentake-Tenure of the Hundred of Blackburn, Parcel of the Honor, Castle, Manor, or Lordship of Clitheroe, in the County of Lancaster; and for and concerning certain Lands in Clivager, parcel of the Dutchy of Lancaster respectively, concerning the said Tenants inclosing and improving divers Waste-Grounds and Commons

¹ Printed. Given here on account of the great number of names which appear in it.

parcel of the Premises, and claiming to hold their said Estates by Fines certain, which by the said Information were alleadged to be at the will of the Lord, to which Information the Tenants did answer, and thereby acknowledged the said King's undoubted right to the said Honor, Manors, and Premises; yet insisting upon pretence of their Custom for the Certainty of their Fines, and pretending that their said Inclosures were granted unto them by Copy of Court-Roll, or otherwise confirmed by Decree of the said Court; Neither of which did then, nor doth yet appeare. The said Tenants desired they might be admitted to a Composition for the ascertaining the said Fines, and for the said Inclosures, so as the same might be confirmed by Decree of the said Court, and by Act of Parliament, as by the said Informations and Answers upon Record in the said Dutchy-Court may appear. And whereas, shortly after the said increase of Rent mentioned in the said Decrees, a Composition was had and made for and in behalf of the said King with the said Tenants, for the confirmation and establishing of their said Copyhold-Estates and Customes, for the summes mentioned in the said Decrees and in the said Letters-Patents; Of which said Composition one Moiety was to be paid immediately upon passing the said several Decrees, the which was accordingly then paid to the said King James; the other Moiety, with the mony mentioned in the said Grant or Letters-Patents for the Lands in Cliviger amountinge to the summe of Three thousand sixe hundred and one pounds Nine shillings and Two pence, was by the said Composition and Agreement to be paid within the space of one Moneth next after the passing of an Act of Parliament for Confirmation of their said Estates, the Bill whereof was to be preferred by the said Tenants; which said Three thousand sixe hundred and one pounds nine shillings and two pence is still unpaid, and in the said Tenants hands. And whereas, the late King Charles being, by vertue of the said Decrees, entituled as aforesaid unto the said Three thousand Sixe hundred and one pound nine shillings and

two pence, and being indebted unto the said Sir Allen Apsley and the Navy and Tower-Creditors aforementioned, who are the several persons hereafter named, or those under whom they claim, (viz.) Edmond Morgan, John Parsons, Urian Okes, Captain John Holt, Edward Kidden, Thomas Clarke, William Giles, Thomas Smith, Nathaniel Daniel, John Shapley, John Harding, Rombolt Jacobson, Mrs. Clee, widow, John Batchelor, Henry Fitzakerley, Robert Haughton, Abraham Corcellis, George Freeman, Matthew Allen, Agnes Roy, widow, Mark Quester, Mathew Palmer, Thomas Wharton, John Clark, Austin Brodicot, Robert Fereby, William King, William Chatterton, Edmond Parsons, William Beadle, George Newsam for Alexander Shapley and Nicolas Roop, Thomas Osborn, John Clifton, Edward Somerton, Captain Maplesden, Cap. Moyer, Cap. Harris, Cap. William Cook, Nicolas Pain, Henry Austin, Robert Moulton, Daniel Bepitch, Richard Halse, William Grey, Rehebiah Reynolds, Captain Edward Johnson, Ralph Twisleton, Bernard Mowton, John Ratcliffe, Abraham Robinson, Captain Bushell, Christopher Harris, Robert Bishop, John de Luke, Miles Troughton, John Jackson, Robert Bevis, Marmaduke Bludder, Henry Bludder, John Moore, Daniel Cooper, Robert Watson, James Hooper, Peter White, Captain Alford, Richard Smith, John Wright, William Beale, Henry Langden, Henry Watson, Chatham Harbour Necessaries: Anthony Tonchell, Thomas Temmes, William Newman, William New, Henry Rogers, Thomas Roberts, Richard Walters, Roger Sawyers, Richard Carter, William Stoner, Edward Love, David Sheffield, Henry Carelesse, Richard Bewton, Vincent Gunston, Adam Graves, Christopher Wiat, Thomas Stephenson, William Woodfield, Edward Wallis, Peter Peppercorn, Andrew Doves, William Felgate, John Momford, George Plunkwell, William Barral, Ellis Vaughan, Richard Gardiner, Robert Ingram, Owen Kenuaston, Laurence Ticknor, Thomas Salmon, Robert Underwood, Thomas Scoryer, Simon Westby; with also the persons hereafter named, who are also Creditors having relation to the aforesaid

Thomas Clark, (viz.) Abraham Jennens, Robert Gubs, Thomas Stevens, Richard Brendon, Nicholas Stacy, George Ogle, Thomas Macy, Joan Richards, John Jerman, William Web, Abraham Colmer, Thomas Bespitch, John Cause, and Richard Snelling; with these persons also hereafter named who are also Creditors having relation to the aforesaid Captain John Holt, (viz.) Robert Mathews, William Mainard, John Fox, Robert Baker, Thomas Turner, Thomas Brought, John Tailer, William Russell, — Marsh, Margaret Poop, John Goodwin, Sen., John Goodwin, Jun., Thomas Goodwin, Henry Poulter, Ralph Wymple, Richard Mariner, John Grigge, John Bilton, Thomas Palmer, John Osborne, Michael Promman, Margaret Rideg [*sic*], widow, Richard Ridge, Thomas Lloyd, John Moody, Jun., Ralph Fromman, John Lardner, Timothy Bates, Thomas Bartlet, Roger Granger, Elizabeth Williard, widow, Robert Boulton, Stephen Beale, John Austin, Elizabeth Clum, and Frances Austen, widow; From whom Sir Allen Apsley had taken up Provision for Victualling of the said Navy, and Tower-Prisoners Diet, amounting to the summe of above Twenty thousand Pounds; and the said late King Charls, taking notice that the said Tenants had to that time (as hitherto they have done) quietly enjoyed the Premisses, and also kept in their hands (as they still do keep) the said £3,601 . 9 . 2, without any payment thereof, or of any interest or consideration for the forbearance thereof, and yet neglected to preferre any Bill to be assented unto by the said late King, who did, for payment and satisfaction of the said Sir Allen Apsley and the said several Creditors or those who claim from them, by his Letters Patent, dated 11 May, in the 5th year of his Reign, convey not only the said £3,601 . 9 . 2 of the Composition Money aforesaid, but also damages for the same, in respect of the neglect of the said Tenants in not preferring any Bill, and of their Non-payment of the said £3,601 . 9 . 2, they quietly enjoying the Premises according to the said Decrees, as by the said Letters-Patents may appear.

Be it therefore Enacted by this present Parliament and

by Authority of the same, and it is Enacted by this present Parliament and the Authority of the same, as well for the Security of the said Tenants, as for and towards the speedy relief of the said Creditors, Edmond Morgan, John Parsons, and the rest hereinbefore named, their Executors, Administrators, or Assigns, That the said several Decrees, be hereby ratified and confirmed to all intents and purposes, and that the severall Tenants of the Premises respectively mentioned and concerned in the said Decrees, their Heirs and Assigns shall and may for ever hereafter, according to the true intent and meaning of the said several Decrees, for and under the true Payment of the Summe of money hereafter mentioned to the said Creditors or their Assigns as hereinafter is declared, quietly hold, occupy, possesse, and enjoy their severall and respective Lands, Tenements and Hereditaments, Customs, Priviledges, Vsages and Immunities, whatsoever, against the Assigns of the said late King James, and King Charles, his Heirs, Successors, and Assigns, and all and every person and persons claiming or to claime anything in the Premises by, from, or under them, or any of them.

And be it likewise Enacted and Ordained, and it is hereby Enacted & Ordained, That the said several Tenants, or some in their behalf, shall, on the first day of September now next ensuing, well and truly pay or cause to be paid to the said Urian Okes, one of the said Creditors at or in the now dwelling-house of the said Urian Okes, situate in the Parish of S. Antholine, in London, to and for the use of all the said Creditors, their Executors, Administrators, or Assigns, the said sum of £4,000 of lawfull money of England, without any fraud or delay, in full discharge of all Actions, Complaints, or Demands further made, or to be made, either for the said Principal sum of £3,601.9.2, or for Costs, or for the said Damages for the forbearance thereof.

fo. 340. Provided alwayes—That if the said Sum of £4,000, and every part thereof, shall not be, by the said Tenants, or some of them, their or some of their Assign

or Assigns, well and truly paid at the said place of Payment, and in manner and form as is herein before in this Act mentioned, declared, or intended ; That then the said Tenants of the said Honor, Manors, Lordship, and Premises, shall forfeit and pay to and for the use of the said Creditors hereinbefore named, their executors, administrators, or assigns, for every Day that the said Sum of £4,000 shall be from thenceforth unpaid, the Sum of Five pounds of lawful mony of England.

And it is hereby further Enacted by the Authority aforesaid, That the seven Trustees or persons intrusted by and for the said Creditors, (viz^t) the said John Parsons, John Holt, Urian Okes, Thomas Clarke, Edward Kedden, Thomas Smith, and William Giles, or any three or more of them (whereof the said Urian Okes to be alwayes one), have and shall by vertue of this present Act full power and authority, to levy, recover, and receive the said £4,000, and every part of the same, of, and upon all or any, the lands, goods, or chattels of all or any of the said Tenants hereinbefore mentioned or intended, or of any their Heirs, Executors, or Assigns, by Entry in and upon the Premises or any part thereof: and the same to have and take by Distresse, Seizure, or otherwise, to and for the use and benefit of all the said Creditors, until they shall be fully satisfied, the said sum of £4,000—and all and every such other Sum or Sums of money as for default or non-payment thereof as aforesaid shall be (by Virtue thereof) forfeited, together, also with all and every part of such reasonable charge, costs, expences, and damage of the said Creditors or Trustees, or any of them shall expend and lay out for, in, about, or concerning any such Entry, Distresse, Seizure, Recovery, or Receipt.

HEN: SCOBELL,

Cler: Parliament.

Memorandum in writing under the above signature.

This booke was deliv'ed in Haslingden the twelft day of August, soe there is but nyntene dayes space to pryde foure thousand pounds & carie the same to London.

fo. 344. Petition (22 September, 1652). "Referd to Mr. Readinge to state ye case.

THO: TURNER, for the petr^{rs}."

(First Series, Vol. xxx., No. 930, fols. 229, &c.)

fo. 229. Petition of John Hamond, Christopher Smith, of Colne, and Andrew Holden, of Haslingden, gentlemen, which shewed that by an Act of Parliament passed 30 July, 1650, it was ordained that the copyhold tenants within the Honour of Clidderow, in the co. of Lancaster, should in respect of confirming their copyhold estates and ascertaining their fines according to several decrees in the Duchy, pay unto Mr. Urian Oakes and others, the creditors of Sir Allen Apsley (mentioned in the said Act), the sum of £4,000, upon the 1st of September then next following, and in default of payment thereof the penalty of £5 per diem was imposed so long as the same or any part thereof remained unpaid, and whereas petitioners at the request of the said copyhold tenants, undertook to collect and gather the said sum of £4,000, and damages upon the tenants according to their ancient rental; and in regard a good part thereof could not be got in due time whereby the said penalty of £5 per diem increased to a great sum, petitioners had taken up at interest several large sums of money for which they and divers other copyholders stood bound, and had paid and satisfied to the said creditors in the month of April then last past, the said £4,000, together with £833 damages and expenses, and whereas some of the estates of some of the copyholders were under sequestration, so that their rateable part of the said principal money and damages could not be collected, as namely, Robert Blundell, Esq., an ancient copyhold rent of £1. 6s. 8d. a year, John Robinson, 15s., Tho. Birtwisle, 17s. 3d., in all 58s. 11d. per annum, their proportionable part of which £4,000 and damages amounted to thirty-two years, being £94 5s. 4d., exclusive of the interest then since September, 1650, for all which

petitioner and others stood engaged. Prayed therefore that the Commissioners above, for the considerations above stated, would order that the said £94. 5s. 4d. and the interest might be paid and allowed to petitioners by the Commissioners for Sequestrations for the co. of Lancaster, out of the said estate or otherwise (7 January, 1651[-2]). (No order hereupon.)

fo. 231. (10 June, 1653) Affidavit of Henrie Cowpe in the above matter.

[Between this folio and 283 the papers relate to other cases.]

fo. 283. Petition, no year, but referring to former petition, and praying for a peremptory order to hear Mr. Reading's report herein. "Thursday, y^e 16th Curr^t, I. V."

fo. 285. Report by Mr. Reading, based on the petition annexed to the said report. He found that by the Act of Parliament dated 30 July, 1650, enacted on behalf of the tenants of Clitherow, and for the settlement of their copyhold estates within the Honour of Clitherow, a debt of £4,000, formerly owing by Sir Allen Apsley to Urias [*sic*] Oakes and others, his creditors, was charged upon the said tenants of the said Honour of Clitherow to be paid to the said creditors on the 1st of September then next following, with a nomine pœnæ of £5 a day for every day the same should remain unpaid, and a power to the said creditors to levy, recover, and receive the said £4,000 upon all or any the lands, goods, or chattells of all or any the tenants of the said manor and lands, their heirs, executors, or assigns, by entry, distress, seizure, or otherwise, until full satisfaction should have been made of the said debt and penalty, and such reasonable costs and expenses as the said creditors should be put to about the same.

It was alleged by the petitioners that for payment of the said debt, it was agreed between the said tenants that all and every of the said copyhold tenants of the said honour should pay thirty-two years' rent of their copyhold rents unto the said creditors, and, accordingly, the greatest part of the said tenants did pay thirty-two years' copyhold

rent into the hands of the petitioners, who paid the same to the said creditors, in discharge of the said debt; but that the copyhold estate of some of the tenants was under sequestration, and that the proportionable part of the said £4,000 and damages amounted to £94. 5s. 4d., exclusive of interest, since September, 1650; but the Lancashire Commissioners affirmed to petitioners that they had received orders from the Commissioners above not to suffer any distress to be taken upon the said sequestered estates without an order from them, and thereupon petitioners had petitioned as above. And he found that in a letter

fo. 287. from the Commissioners above, dated 18 March, 1650[-1], they had directed the Lancashire Commissioners that, as for the copyholds in Blackborne then under sequestration, they were not to suffer the tenants to be molested by any persons whatsoever so long as the same were sequestered; and if any should disturb them, if they (the Lancashire Commissioners) certified their names to the Commissioners above, the latter would take further order touching the same, inasmuch as no charge was to come on any sequestered estate but which should first have been allowed by them.

On reference to the Lancashire Commissioners they had certified several depositions taken before them in the cause, namely, that of Robert Hamond, who said he and his father before him had for twenty years then past received the rent of 26s. 8d. per annum for lands in Clitherow, called Bowden Hills, alleged then to be under sequestration for the recusancy and delinquency of Robert Blundell, Esq., and that the same rent had been paid as long as he remembered, until the Lancashire Commissioners lately then had refused to pay it. Depositions were also sworn by John Hirst, John Hargraues, Thomas Birtwisle, Andrew Holden (one of the petitioners), Henry Coupe, and others. He submitted to judgment whether the Commissioners of Lancashire should not be enabled to pay out of the said several sequestered estates such proportionable part as they

should find justly chargeable, towards the payment of the said sum granted by the Act, according to the proportion set on the other tenants there, so long as the same remained under sequestration (20 August, 1653).

ff. 289, 290. Petition (copy). (22 September, 1652.)

fo. 291. Order of reference (7 January, 1651[-2]) to Lancashire Commissioners.

fo. 293. Communication from Lancashire Commissioners, dated at Preston, 8 April, 1652, signed by Robt. Cunliffe and G. Pigot, mentioning the steps taken in the case, and enclosing copies of examinations, &c., taken.

ff. 295-298. Examinations of witnesses taken at Blackburne, 2 February, 1651[-2], mentioned *supra*.

fo. 299. Order of reference to Mr. Reading (2 September, 1652).

fo. 301. Copy of the letter from the Commissioners in London, dated 18 March, 1650[-1], to the Lancashire Commissioners, referred to in the report above.

fo. 302. Affidavit of William Emott.

ff. 302, 303. Three certificates under the hand of Ri: Sherwyn, auditor, exhibiting the annual values of the three sequestered copyholds (dated 2 June, 1653).

fo. 329. [Between 303 and this, papers not relevant.] Petition (7 January, 1651[-2]).

For William Cobb see Robert Middleton.

For Thomas Cole see James and Elizabeth Butler.

For John Colley see Thomas Clifton.

James Collier, of Newton.

(First Series, Vol. xvi., No. 447, fols. 362, &c.)

fo. 362. Petition which shewed that "before the beginning of these distraccons" he held part of his estate from the

Earl of Darby, by which subservience he was occasioned to bear arms against the Parliament, but about three years then previously he had laid down his arms, and as his house had been plundered, his goods taken, and estate sequestered, he had been forced to live where he could procure his necessary maintenance. Having taken the National Covenant and Negative Oath he submitted himself, praying that some reasonable fine might be imposed upon him (9 May, 1646).

fo. 364. Particular of his estate, worth £24 a year.

fo. 365. Certificates that petitioner had taken the National Covenant and Negative Oath, the former signed by Charles Herle, dated 15 March, 1645[-6], the latter by Laur. Whittaker, 5 April, 1645.

James Collier, of Rainford, Gentleman.

(Second Series, Vol. xlii., No. 2,497, fols. 355, &c.)

fo. 355. Petitioner had never been sequestered or judicially impeached, nor was he engaged in the latter war, but fearing that he might be liable hereafter to sequestration for something he had said or done in relation to the first war, he petitioned 28 June, 1649, and compounded upon a particular which disclosed that he was seized of a frank tenement for his own life of and in a messuage and lands in Sutton, worth yearly £15. 10s. Also of a like estate in Rainford, of the yearly value of £4. 15s. 4d., during two lives, but after of £10 more. That he was seized of an estate for two lives of certain lands in Rainford, worth yearly £3. 13s., and of an estate for three lives of a messuage and lands in Newtown, worth yearly £11; personal estate, £30; fine, £36. 8s. (5 July, 1649).

fo. 358. Petition.

fo. 359. Particular.

Sir Henry Compton.

(First Series, Vol. xii., No. 321, fol. 914.)

fo. 914. "To the right honoble the Comissioners for Compoundinge wth Delinquents att Gouldsmithes hall.

"The humble petiçon of the Inhabitants of Caton, in the County of Lancaster, Shewing that the parish of Caton is of a lardge extente, and that the Rectory of Boulton, in the said County is worth £340 p Ann., and but foure miles distante from Caton, where S^r Henry Compton, Knight of the Bath, hath a Mannor and p^{te} of the Lordshipp, for w^{ch} hee hath lately compounded. All S^r Henry Compton's Tennants goe to the church of Caton, w^{ch} is meanely p^{ro}vided for wth a minister by reason of the wante of maintenance, his yearely stipend not exceeding 20 marks p annum. Yo^r petiçon^{rs} humbly pray that yo^r hon^{rs} will bee pleased to settle one hundred pounds p annum out of the said Rectory of Boulton, to and for the increase of the maintenance of such minister att Caton aforesaid, as the plⁱament or yo^r hono^{rs} shall approve of, notwthstanding any former order made by the Comⁱttee for plundered ministers, and yo^r peticone^{rs} shall humbly pray, etc."

"Y^e place being p^{ro}vided for when it issues £100 to be allowed."

For Colne Chapelry see Thomas Clifton.

Katherine Cooke, of Worsley.

(First Series, Vol. c., No. 4,050, fols. 549, &c.)

fo. 555. Letter dated at Preston, 9th May, 1651, mentioning that Robert Cooke, of Worsley, dying possessed of a good personal estate, and Katherine, his wife, being a

suspected recusant, according to their instructions they (the Lancashire Commissioners) gave orders to secure two parts of a third part of the said personal estate, conceiving the same to belong to her in right of her dower, and that she should appear before them to take the oath of abjuration, otherwise the same to be sequestrated. Whereupon William, son of the above, appeared before them, and pretended that he was executor of the will of the said Robert Cooke, alleging that no part of his father's personal estate belonged to his mother, but that the same was wholly given to him, his brother and sister, in regard that there was a real estate in Burton Wood and Pinnington, which the said Richard [*sic*] Cook, in his lifetime, held in right of his wife, and by an agreement made before marriage the same was wholly to revert to his said wife, and she in lieu thereof was not to claim any part of the said personal estate, and she in pursuance of that agreement had, subsequent to the death of her husband (as was alleged) released wholly the said personal estate to the executors, so that they claimed the whole estate, and had offered to prove the said agreement, will, and release to be real and done without intention of fraud to the State; but as they (the Lancashire Commissioners) were not able to do this without an order from above, they (the petitioners) had desired that the Commissioners would certify the same to the Commissioners above, which, as it was a matter of some doubt, and the like seldom happening before, they did what they were requested, and enclosed copies of the petition, will, and release, and desired directions as to their further proceedings, signed by Peter Holt, Robert Cunliffe, and G. Pigot.

fo. 549. Petition.

fo. 551. Release by Katherine Cooke.

fo. 553. Will of Robert Cooke, made 14 June, 1649.

fo. 557. Examinations of witnesses taken at Preston, August 6th, 1651, in pursuance of an order dated 13 June, preceding, of Richard Worsley, of Worsley, gentleman, who made the will of Robert Cooke.

fo. 559. Part of the depositions of John Tildesley, Richard Edge, of Worsley, William Cooke, and of

fo. 561. William Peake, of Worsley.

fo. 562. Letter dated Preston, 6 August, 1651, enclosing the preceding examinations.

For Thomas Cooke see Robert Chistleton.

James Cooling, of Chorley, Mercer.

(Second Series, Vol. xli., No. 2,442, fols. 655, &c.)

fo. 655. Delinquency; adhering to the forces raised against the Parliament in the first war only; he petitioned 2 May, 1649, and compounded upon a particular which disclosed that he was seized of an estate for two lives of and in a messuage with a shop and sundry lands thereto belonging, the reversion being in Mr. Heskett, of Rufford; they were of the yearly value of £4. Fine, £9 (26 June, 1649).

fo. 658. Petition.

fo. 659. Particular.

fo. 661. Affidavit of compounder as to the length of his term in the premises mentioned. Sworn 19 June, 1649, before John Page.

Thomas Cooper.

(First Series, Vol. cxlii., No. 7,009, fol. 358.)

(Totally destroyed by damp.)

See also under John Balliwell.

Lawrence Copeland, of Dolphin Leigh.

(First Series, Vol. xvi., No. 463, fols. 639, &c.)

fo. 639. Petition from Robert Copeland, of Dolphin Leigh, yeoman, and Katherine his wife, which shewed that Lawrence Copeland, deceased, late father of petitioner, was in his lifetime seized of an estate in fee of a messuage, called Dolphin Leigh, and of several other lands in the county of Lancaster. By a deed of feoffment, dated 13 October, in the 8th of the late King [1632], he, for the considerations therein mentioned, conveyed to certain feoffees in trust the said messuage to the use of petitioners, and the remainder to the use of himself during life, and after to petitioners, and their issue male afterwards; two thirds of the said estate were limited to the said Lawrence Copeland for his life only, and sequestered for his recusancy, and he being then lately dead, the same ought to have descended to petitioners, in accordance with the deed; they prayed for an order to examine witnesses in proof (27 November, 1651). "Commissioners to examine and certify, and referred to Mr. Brereton."

Report by Mr. Brereton, dated 23 February, 1652[-3]. He found that a deed, dated 13 October, 1638, had been executed between Lawrence Copeland, of Dolphin Leigh, yeoman, and John Cansfield, Robt. Middleton, John Bradshaw, Richard Blackbourne, George Hodgson, Thomas Lamming, Robt. Copland (eldest son of the said Lawrence), and Katherine, wife of the said Robert, reciting that Robert Dalton, by indenture dated 12th of March, 1624[-5], demised to Thomas Westmore and others all that messuage in Boulk and Newton, in the county of Lancaster, called Dolphin Leigh, for the lives of the said Robert Copland and of Lawrence and John Copland, younger sons of the said Lawrence, the father; and reciting that the said Robert Dalton, by another indenture dated the 10th of October, 1621, demised to Thomas Westbie and Richard Westmore certain parcels

of land called the Frieres Mosse, near Quearne Moore Park, in the county of Lancaster, for ninety-nine years, if the said Robert, John, and Thomas Copland, sons of the said Lawrence, the father, so long lived, which lease by good assurance had come to the said Lawrence Copland, the father; and reciting that Thomas Dalton, by two several indentures dated 1 October, 1633, demised to Lawrence Copland, the father, the said messuage called Dolphin Leigh, and the parcel of land called the Freires Mosse, for thirty-one years, to commence from the determination of the terms granted to Robert Dalton; and Lawrence Copland, the father, in consideration of £160, being the marriage portion of the said Katherine, and for other considerations therein expressed, sold to the said John Cansfield and the others mentioned above the said messuage for 140 years, from the 2nd of February then last, upon trust that they should stand possessed of the "Butterie Chamber, the Chamber over the same, the Middle Chamber, the storehouse, the kitchen, the kitchen larder, the old barne, with all the roomes under that roof, part of the said messuage, and of one moyetie of the Garden and of the Ridcroft, the Ridcroft Parrock, the great well close, the Rege Parrock, the great well close, and the little close called Newton acre, parcell of the said tenement, and of two closes called the Barne meadow and the Park meadow, parcell of the Freires Mosse, together with sufficient turbarie there, to the use of the said Robert Copeland and Katherine his wife, and such children as they then had, or after should have, during the life of the said Robert Copeland, for their maintenance;" after his death to Katherine for life; after, to the use of such of their children as should be living at the death of the survivor of them for six years; after, to the use of the sons of the said Robert and Katherine according to their seniority, and the heirs male of the bodies of such sons; in default to the use of such persons as the said Lawrence should appoint; in default of such appointment, to the use of the right heirs of the said Lawrence, the father, for the residue of the term

granted; as for the residue of the premises, to the use of the said Lawrence Copland, the father, for life; after, to Robert for life; after, to the use of the children of Robert and Katherine as should be living at the time of the decease of the survivor of them, the said Lawrence Copland, the father, and Robert Copland, during four years; and after, to the use of the sons of the said Robert and Katherine his wife and their heirs as before. It was further agreed that the said Lawrence, the father, on payment of £20 a year, might for their lives enjoy all the lands, &c., limited to the said Robert and Katherine his wife, and paying for her life after death of Robert and during life of Lawrence £17 a year. And it was also agreed that, from the death of the said Lawrence, such person or persons as, according to the intent of the parties, were from the decease of Katherine to enjoy the property, should from the decease enjoy the same, continuing to pay the said Katherine a rent charge of £17 a year. Proofs were given of the sealing, &c., of the deed, and Blanch Cansfield deposed that Lawrence Copland, the father, died about a week after the preceding Michaelmas.

He submitted to judgment, whether the sequestration ought not to be discharged, the recusancy of the said Lawrence Copland notwithstanding.

fo. 645. (27 November, 1651). Order of reference to Lancashire Commissioners.

fo. 647. Petition (copy).

fo. 649. Communication, dated at Preston, 16 January, 1651[-2], signed by G. Pigott and Robert Cunliffe, mentioning proceedings taken by them, enclosing copies of examinations and other matters.

fo. 651. Examination of John Smith, of Cansfield, yeoman, aged seventy years.

fo. 652. Examination of Blanch Cansfield, spinster, "aged 40 years or thereabouts."

**Robert Copeland, of Dolphin Leigh, and Katherine,
his Wife.**

(First Series, Vol. c., No. 4,036, fols. 441, &c.)

fo. 443. Letter, dated at Preston, 16 January, 1651[-2], signed by G. Pigot and Robt. Cunliffe, mentioning that in observance of an order of the 27 November then last made upon the petition of the above, they had examined witnesses for proof of the deed in the petition mentioned (copies enclosed), and they certified that two thirds of the estate of Lawrence Copeland, then deceased, late father of petitioner Robert, were, in his life, sequestrated for recusancy, and then so continued.

ff. 441-2. Examinations taken at Preston, 15 January, 1651[-2], of John Smith, of Cansfield, and Blanch Cansfield, of Cansfield, witnesses to the deed.

For John Gosson see Henry Walmesley.

For Thomas Gosson see Henry Walmesley.

Jennett Cottam.

(First Series, Vol. xvi., No. 458, fol. 564.)

Petition from Hugh Cowper, of Ormeskirke, gentleman, which shewed that formerly petitioner had let four acres of land to Jennett Cottam, of Goosnargh, widow, for life, at a rental of 4s. 6d. a year; afterward the said land being found in her possession was sequestered for her recusancy. She died about 1650. The tenement should have returned to the possession of petitioner, but in consequence of the sequestration petitioner failed to get possession of the land. Prayed that the sequestration might be discharged (25 November, 1652). Referred to Commissioners in county to certify. Mr. Reading to report.

Richard Cottam, of Claughton, Yeoman.

(First Series, Vol. lxxxii., No. 2,664, fol. 401.)

fo. 401. Petition, shewing that two thirds of his estate had been sequestered for his recusancy only, he therefore petitioned to be admitted to contract for the same. (13 January, 1653[-4].) Referred to Mr. Reading.

(First Series, Vol. viii., No. 190, fols. 82, &c.)

fo. 82. Petition from Thomas Beesley, of Goosenargh, gentleman, by which it appeared he had an interest in lands in the county of Lancaster, sequestered for the recusancy of Richard Cottam, deceased. The prayer was to obtain an order to serve upon the Commissioners of Lancashire to take such additional proofs as petitioner could make out to prove his title, a former attempt not having satisfied them. "2 May, 1655. The Com^{rs} to ex^e & certify as desired. R. M., B. W."

fo. 84. Petition relating to other property.

fo. 127. Petition from Thomas Beesley, of Goosenargh, which shewed that Lawrence Cottam, of Claughton, had conveyed certain lands to petitioner for payment of several debts, that they had been sequestered for the recusancy only of Richard Cottam, deceased, father of Lawrence, that they were still under sequestration; petitioner prayed for a reference; ordered; Mr. Reading to report (2 January, 1654[-5]).

(First Series, Vol. cxiii., No. 7,214, fol. 595.)

(Totally destroyed by damp.)

See also under **Thomas Seed**.

Thomas Cottam, of Longland.

(First Series, Vol. lxxxii., No. 2,664, fols. 397, &c.)

fo. 397. Petition on behalf of himself and other trustees by deed dated as below. The petition disclosed that by a previous petition an order had passed to examine the truth of an indenture dated 19 February, 1651[-2], between Thomas Threlfall, then late of Clifton, and petitioner and others, and that the proof offered did not satisfy the Commissioners. Petitioner now prayed to be allowed to produce fresh evidence, which was granted. (1 August, 1654.) Referred to Mr. Reading.

fo. 400. The former petition.

ff. 403-410. Report by Mr. Reading.

ff. 411-446. Various documents connected with the case.

For **William Cottam** see **Oliver Charnley**.

For **George Cowburn** see **Thomas Clifton**.

For **Richard Cowburn** see **Thomas Clifton**.

For **William Cowburn** see **Thomas Clifton**.

Robert Cowell.

(First Series, Vol. ci., No. 4,181, fol. 473.)

(Totally destroyed by damp.)

See also **Thomas Slater** and **John Taylor**.

For **Thomas Cowell** see **John Taylor**.

Robert Cowley.

(First Series, Vol. lxxxiii., No. 2,778, fols. 527, &c.)

fo. 527. Petition from Arthur and Henry Bold, which shewed that Robert Cowley, then late of Sutton, in the county of Lancaster, yeoman, leased a dwelling-house then some years ago to petitioners, to commence from the death of Cowley. That Cowley's estate had been sequestered, and among other things the messuage leased to petitioners, and that Cowley was dead. Petitioners prayed for an inquiry, which was granted, 20 September, 1654.

ff. 529-532. Report by Mr. Reading in which he states that there was no consideration mentioned in the deed, but that, as it was leased for the life of Ann, wife of the said Robert, he presumed it was demised for her use, which he submitted.

ff. 533-549. Various documents referring to the case.

(First Series, Vol. lxxxv., No. 3,021, fols. 489, &c.)

fo. 489. Petition from same, touching their claim to a messuage in Sutton, two thirds of which were under sequestration for the recusancy of Robert Cowley.

fo. 489. Interrogatories administered to, and examination of Richard Cowley, of Windle ; also

fo. 490. of Matthew Cowley, of Sutton, tailor.

fo. 491. Interrogatories administered on behalf of the Commonwealth to the above Richard Cowley, all sworn at Preston, 23 October, 1654.

fo. 493. Letter from Lancashire Commissioners.

William Cowley.

(First Series, Vol. viii., No. 213, fols. 883, &c.)

fo. 883. Report of Mr. Readinge, based upon an order of 3 March, 1651[-2], on the petition of Adam Byrom, of Byrom, desiring that the sequestration might be removed

off certain lands in Parre, being petitioner's inheritance, but formerly leased for three lives, all of which were dead, and two parts whereof had been sequestered for the recusancy of the lessees.

Mr. Reading found that Henry Byrom, of Byrom, Esq., by indenture dated 26 July, 1635, demised to William Bertchell, a parcel of land called Tourners Croft, in the county of Lancaster, to have and hold to the said William, Jane, his wife, and William Cowley, and the longest liver of them, at a rental of 11s. 6d. He traced the devolution of this lease to William, in whose possession it was found, and for whose recusancy it had been sequestered; by his death the estate was determined. He submitted to judgment whether the sequestration should not be discharged.

fo. 887. Order of reference.

fo. 889. Petition (copy).

fo. 891. Referred to Lancashire Commissioners.

fo. 893. Second petition.

fo. 895. Certificate that the Lancashire Commissioners had examined witnesses in the cases. Copies of examination enclosed.

fo. 897. Deposition of Wm. Martin, of Parr.

fo. 898. Deposition of William Turner, of Parr. Sworn at Wigan, 28 November, 1651.

(First Series, Vol. xcvi. (No. 384), fols. 367, &c.)

fo. 367. Examinations taken at Wigan, by virtue of an order for compounding, dated 19 June, 1651. Evidence of William Martin, of Parr, husbandman, and

fo. 368. of William Turner, of Parr, husbandman. The matter related to a messuage or tenement and a parcel of land called Turner's Croft, in Parr, leased to William Burchell by Henry Byrom (deceased) for the lives of several persons named. All the lives were dead, but the last one, William Cowley, had had two thirds sequestered for recusancy. Adam Byrom above claimed as heir-at-law.

fo. 370. Letter from Lancashire Commissioners accom-

pany depositions, dated at Preston, 9 December, 1651, signed by Edw. Aspinwall and G. Pigot.

Thurstan Cowling, of Chorley, Yeoman.

(Second Series, Vol. xl., No. 2,347, fols. 579, &c.)

fo. 579. Delinquency; adhering to the forces (in the first war only) raised against the Parliament. He petitioned 12 June, 1649, and compounded on a particular by which it appeared he was seized for life only in a messuage and lands which he held of Mr. Sherbourne, of Stonyhurst, and was worth yearly before the wars "*ultra reprisas*" £5. 6s. 8d. Fine, £10. 13s. 4d. (18 June, 1649).

fo. 582. Petition.

fo. 583. Affidavit of petitioner, declaring he had only a life interest in the above-mentioned messuage, &c., sworn 13 June, 1649, before Robert Aylett.

fo. 585. Particular.

Robert Craven, of Dinckley, Husbandman.

(Second Series, Vol. liii., No. 3,510, fols. 183, &c.)

fo. 183. Report by Mr. Readinge, by which it appears that petitioner was one of the persons comprised in the Act for sale of lands forfeited for treason, by the name of Robert Craven, of Billington, co. Lancaster. His estate was surveyed and returned, 28 July, 1653, and he petitioned on the 2nd August following. By the survey it appears he held a lease from Sir John Talbot, knight, dated 20 April, 12 Charles [1636], in consideration of £48 fine, of all that tenement wherein he lived in Dinckley, also a poor cottage and several parcels of land, to hold from the date for the lives of the said Robert, Edward his brother, and Robert Read; and the survivor of them, at a rental of 33s. 4d. yearly, "also six henns, 1 daies ploughing, 1 daies harroweing, six daies sheareing, and 1 daies felling of wood," which the

surveyor estimated to be worth yearly £3. 4s. 3d. Robert Read, one of the lives, was dead, and "they had secured the deed in the hands of Captain ffrench, of Preston." Compounder swore he had no other interest in the premises except the lease, that Robert Read was dead and "that he had helped to lay him in his grave." John Talbot, Esq., son and heir of Sir John Talbot, by deposition confirmed the above statements of compounder.

fo. 188. Affidavit of John Talbot, Esq.

fo. 187. Affidavit of compounder.

fo. 189. His petition.

fo. 191. Order to refer. Fine at two sixths, £14. 9s. 1d. (19 August, 1653.)

(First Series, Vol. xviii., No. 502, fol. 197.)

fo. 197. Petition, in which it is shewn that petitioner was one of those whose names were inserted in the late Act, and his estate having been surveyed, he desired, being at liberty to do so, to compound for it (2 August, 1653). Referred to Mr. Reading.

**William Cricblowe, of Charnocke Richard,
Busbandman.**

(First Series, Vol. lxxxii., No. 2,633, fol. 285.)

fo. 285. Petition shewing that two thirds of his estate were under sequestration for his recusancy only, he therefore prayed that he might be admitted to contract for the same (13 January, 1653[-4]). Referred to Mr. Reading.

Gilbert Croft, of Burton Wood.

(First Series, Vol. xcix., No. 3,897, fol. 142.)

fo. 142. Letter from Preston, dated 6 November, 1651, mentioning that in observance of an order of the 10 June,

then last made upon the petition of the above, they had examined witnesses touching the same, copies of which examinations they enclosed.

fo. 139. Examinations taken at Preston, 8 August, 1651, of James Worsley, of Sutton, yeoman, and of Thomas Hoghton, of Penketh.

George Crooke, of Broughton in Amounderness.

(First Series, Vol. lxxi., No. 2,575, fols. 472, &c.)

fo. 472. Petition from John Seede, of London, haberdasher, which discloses that in former proceedings an order had been obtained directing an examination of petitioner's witnesses for proof of an indenture between George Crooke and others on the one part, and petitioner on the other. These examinations not proving the case as fully as the Lancashire Commissioners required, petitioner prayed for another order, to examine such new witnesses as he should produce. Prayer granted, 1 August, 1654.

fo. 479. Copy of original petition, which shewed that one George Crooke, of Broughton in Amounderness, yeoman, son and heir of George Crooke, then late of Broughton, deceased, John Crooke, another son of the said George, and Ann, late wife of the said George (deceased), by their indenture, dated 2 May, 1653, leased to petitioner for a valuable consideration for a term of ninety-nine years a messuage or tenement in Broughton, with several parcels of land thereunto belonging; but two thirds of it being under sequestration for the recusancy of the said George (deceased) petitioner could not enjoy the same. He therefore prayed for an order directing the Lancashire Commissioners to examine as to his title, &c.

ff. 473-476. Report by Mr. Reading, dated October 19th, 1654, based upon this petition: after a lengthy review of the case, he submitted to judgment whether petitioner ought not to enjoy the said lands according to his purchase.

fo. 477. Order referring case to Lancashire Commissioners.

fo. 481. Affidavit of Robert Twyford, of London, sworn before the Commissioners, 7 June, 1654.

fo. 483. Letter from Lancashire Commissioners accompanying depositions of

fo. 487. John Harrison, of Litholme, Lancashire, yeoman, aged thirty; Robert Blakoe, of Broughton, husbandman, aged forty-four;

fo. 488. John Ashton, of Preston; all sworn at Ormskirk, 27 April, 1654.

fo. 489. Interrogatories administered on behalf of the Commonwealth.

fo. 491. Depositions on the part of the Commonwealth.

fo. 493. Certificates.

fo. 496. Annual value (statement of).

fo. 497. As to what proceedings had been had.

John Crooke, of Preston, Taylor.

(First Series, Vol. xviii., No. 500, fol. 23.)

fo. 23. Petition, which shewed that his estate had been sequestered for his recusancy only, and that he desired to contract for the same (18 January, 1653[-4]). Referred to Mr. Reading to report.

William Crook, of Brindle.

(First Series, Vol. xviii., No. 500, fol. 28.)

fo. 28. Petition from Richard Crooke, of Brindhill, yeoman, which shewed that this estate had been sequestered for the recusancy of William, brother of petitioner, who had died 6 March, 1647[-8]; he prayed to be admitted to compound according to the Act of 21 October, 1653 (23 December, 1653). Referred to Mr. Reading.

**William Crooke, of Dorton, otherwise Urton,
Husbandman.**

(First Series, Vol. xviii., No. 500, fol. 26.)

fo. 26. Petition, which shewed that his estate had been sequestered for recusancy only, and he desired to be admitted to contract for the same (28 December, 1653). Referred to Mr. Reading.

Grace Cropper, of Cockerholme.

(Second Series, Vol. liv., No. 3,627, fol. 597.)

fo. 597. Particular, which disclosed that she was seized for life of a cottage and certain lands lying in Cockerholme worth £1. 10s. yearly, which had been sequestered for the delinquency of her husband. Fine, £3 (May 12th, 1649).

Peter Cropper, of Bickersteth.

(First Series, Vol. xvii., No. 492, fols. 436, &c.)

fo. 436. Petition from Cicely Cropper, of Bickersteth, widow (relict of Peter Cropper), which shewed that an order had been previously granted directed to the Lancashire Commissioners, calling upon them to examine and certify whether or no petitioner stood sequestered. Prayed for a judgment (8 June, 1653). "The seizure discharged."

fo. 437. 14 December, 1652. Order of reference to Lancashire Commissioners.

fo. 439. Original petition (14 December, 1652).

fo. 440. Certificate of proceedings in the case.

(First Series, Vol. c., No. 4,035, fols. 431, &c.)

fo. 439. Letter dated at Ormskirk, 26 January, 1652[-3], signed by E. Aspinwall and Robt. Cunliffe, mentioning

that in observance of an order of the 14th December then last, made upon the petition of Cicellie Cropper, of Bicursteth, widow, late wife of Peter Cropper, deceased, touching the seizure of her then late husband's estate, they had searched the books of the former Committee and found that in 1645 the estate of the said Peter was sequestrated for his delinquency, and in the year 1647 was discharged by an order from the Commissioners above, dated 1 April in that year, upon oath made that the estate was not worth £200, and continued discharged until orders were received to secure such estates as had been discharged as under the value of £200. So the Lancashire Commissioners gave orders to secure the above estate among others; but Mr. Ambrose, the agent, instead of securing the estate, distrained for the arrears, whereupon they made the order of 11 December, 1650, and subsequently Ambrose distrained again. They wrote a letter to him dated 31 May, 1651 (copy enclosed), "so that the said estate at the time of these proceedings stood as 'secured,' not sequestrated, they never having received any order for the discharge of it."

fo. 431. Order signed at the Committee of 29 May, 1647, directing the agents not to intermeddle with the estate.

fo. 433. Order issued at a meeting of the Commissioners held 11 December, 1650, and letter to Ambrose.

fo. 435. Order dated 1 April, 1647, London, directing the discharge of the sequestration laid upon Peter Cropper for any delinquency against the Parliament.

fo. 436. His petition.

fo. 437. Particular of his estate.

Sir John Crosland.

(First Series, Vol. lxxii., No. 2,268, fols. 103, &c.)

fo. 103. Petition from John Wilson, of Horneby, shewing that in the time of the Committee the tithe rents and lands in Urswicke and Ulverston (at the time of these proceedings

under sequestration for the delinquency of Sir John Crosland) were usually farmed together for the rent of £15 a year; and subsequently the Lancashire Commissioners, acting under instructions, posted the estate of Sir Gordon Crosland, and petitioner, thinking to have the estate and rents as then formerly, bid at the same in the year 1650 £23 for seven years then to come, but the Lancashire Commissioners declined then and continued to decline to suffer petitioner to gather the said tithe rents, alleging they had not power to farm rents; hence petitioner had only the profits of the lands, which were much less in value than £23 a year, which petitioner paid. The lands were let for the then current year at £17, "at a mount price." Petitioner therefore prayed that he might have the tithe rent for the year 1651-2, for which he really did contract and intended to have or otherwise he would not have offered so great a sum, or that the Lancashire Commissioners might repay so much of the £23 a year as they found above the true value of the said lands. (No date.) "The Commissioners to examine and certify."

**Jordan Crosland, of Horum, in the County of
York, Esq.**

(First Series, Vol. xvii., No. 493, fols. 442, &c.)

fo. 442. Petition, which shewed that petitioner had always been brought up in the Protestant religion. In 1649 he compounded for his estate and paid in his whole fine, yet the Lancashire Commissioners (being strangers to petitioner, and in whose county he had never lived) returned him as a papist and as owner of a place called Urswick in that county, whereas petitioner was never convicted or sequestered or sequestrable for it, inasmuch as William Fleming's estate after his decease ought to have come to petitioner's then wife and her sister Agnes, as the sisters and the coheirs of the said William, but they never

had any possession thereof or profit thereby, and the same stood or ought to have stood sequestered as the estate of the said William, who had been inserted in the last Act for sale as a papist and delinquent. He prayed that the Commissioners would take the premises into consideration and give him relief therein (27 January, 1652[-3]). (Case dismissed.)

fo. 443. Petition on behalf of petitioner, his wife and Agnes Fleming, daughters and coheirs of John Fleming deceased. It is mentioned in the petition that John Fleming in his lifetime was lawfully seized of several manors and lands in the counties of Lancaster, Westmoreland, Cumberland, and York, and for good and valuable considerations demised the same by indenture dated 30 September, 1638, to the Lady Eleanor Lowther and others for as many years as should come after the death of the said John until William Fleming, his son and heir, should accomplish his age of twenty-one years. John died about eight years then ago, leaving William an infant, and William was never actually seized and possessed of the estate; William was charged with delinquency during his minority, and he appealed to the Barons of the Exchequer, and died pending the said appeal, and under the age of twenty-one. About the time of his death the estate was sequestered as his estate, though he never possessed it, and petitioners (the said Bridgett and Agnes), being daughters and heirs of the said John, ought to have had and enjoyed the property. On a previous petition orders had been given directing the Commissioners of Westmoreland to examine witnesses and certify, which they did, but by some misadventure the documents never reached the London Commissioners. Prayed for a second reference.

fo. 444. Petition.

fo. 445. Deposition of petitioner, disclaiming ownership of the land mentioned above, and mentioning other personal matters.

fo. 446. Deposition of Richard Earnely, of Sherhutton, co. York;

fo. 447. of Peter Hawkins, gentleman; and of Michael Harland, of Sutton, co. York.

fo. 452. Deposition of Thomas Houldin, of St. Clement Danes, Merchant Taylor, that he knew William Fleming, of Rydall, co. Westmoreland; that he died of smallpox on the 12th May, 1649 (being Whitsun Eve), at the house of one Mr. Kidd, near Louthes [?] Buildings, in Lincoln's Fields, and was buried the next evening at St. Giles' Church in the Fields. Deponent was at the funeral.

fo. 454. Petition.

fo. 455. Report by Mr. Peter Brereton. After a long review of the case, he submitted for judgment whether upon consideration of the whole matter the said estate at Urswick ought to have been continued in the late Committee's and present Commissioners' books, and to have been let as the estate of the said William Fleming, and not as the estate of the said Jordan Crosland, nor his name to have been inserted in the said Act for sale.

fo. 461. Order discharging his Yorkshire estate from sequestration; Lancashire Commissioners to certify within three weeks the cause of the first sequestration, and other matters.

fo. 463. Petition (copy).

fo. 466. Certificate of former fine.

fo. 470. Certificate shewing that petitioner had never been charged or convicted with recusancy or delinquency.

fo. 472, &c. Depositions.

fo. 477. Duplicate deposition of Thomas Houldin.

fo. 478. "In an Account of the Revenues and profits of the severall sequestered estates within y^e county of Lancaster from the xxth of November, 1649, until the 2^d of ffebruary, 1650[-1], exhibited the 24th of December, 1650, I finde certified concerning Sir Jordan Crosland as followeth:—

Sir Jordan Crosland, a delinquent, $\frac{4}{5}$ partes of the estate in Beswick [? Urswick] seques-

tered for his delinquency lett to John £ s. d.

Marshall & Richard Harrison for - - 15 . 00 . 00.

In the aforesaid account I doe not finde the said Jordan Crosland mentioned to be a Recusant. But in the severall accounts since exhibited by the Commissioners for Sequestrations for the said Countie, I find Certified that the estate of Jordan Crosland, of Urswick, is sequestered and lett as followeth:—

In an accompt exhibited the 12th of November, 1651, being for halfe a yeare ending the 25th of June, 1650, is certified Sir Jordan Crosland, a delinq^t, his estate in Urswicke lett to Mr Marshall & Richard Harrison the half yeare - - - - - £ s. d.
07 . 10 . 00

In an acc^t then also exhibited, being for half a yeare ending the 25th of December, 1650, I find the said Jordan Crosland mentioned a papist delinq^t, and his said estate lett to Mr. Marshall & Richard Harrison aforesaid for the ½ yeare - - - - - 07 . 10 . 00

Also in acc^t for the yeare 1651, exhibited the 3^d of June, 1652, I finde the premises mentioned to be Seq^d for the Recusancy & Delinquency of the said Jordan Crosland, and lett to John Wilkinson for one yeare - - - - - 23 . 00 . 00

“Der. 7, 1652,

“Rl. SHERUVN, Audr.”

fo. 480. Second return.

fo. 481. Copy of D. Watkin's report of the case at York in 1649, where petitioner had compounded; 26 April, 1649. Fine at a sixth, £30.

fo. 483. Report from Lancashire Commissioners on the case.

fo. 485. Certificates signed separately by John Sawrey, Tho. Hunter, Robert Gardner, Rich. Kinge (1) as to whom the estate belonged in 1643-4-5-6; (2) and (3) as to whom the estate had belonged; (4) that no record of recusancy

or delinquency or of any estate sequestered as belonging to a person of the name of Jordan Crosland is found until the year 1650.

John Crosse, of Mellor, Gentleman.

(First Series, Vol. xvii., No. 487, fol. 378.)

fo. 378. Petition, which shewed that petitioner's father, John Crosse, Esq., then deceased, had possessed a small estate in lands in Mellor and Showley, in the county of Lancaster, and for the preferment of petitioner (an infant) and of his younger sons, settled the same upon petitioner; that after his death petitioner had enjoyed the use of them until they were sequestered on the pretence that petitioner had been convicted of popery, although at the time petitioner was under ten years of age, and on account of his infancy and want of friends petitioner had been unable to take any steps to solicit a discharge, but, being then about seventeen years of age, he petitioned, stating that he had voluntarily and freely taken the oath of abjuration and was conformable in religion. He prayed that either the sequestration might be discharged or that an order might issue to examine the business (8 September, 1652). "The Commissioners to examine and certify; referred to Mr. Readinge."

fo. 381. Report by Mr. Reading (8 November, 1653) in the case of John Cross, of Mellor. He found that John Cross, of Toxteth Park, Esq., father of petitioner, by indenture dated 30 October, 1640, in consideration of a marriage had and solemnised between the said John Cross, the father, and Frances, his then wife, and daughter of Thomas Woolfall, and of the performance (in part) of certain articles and agreements before that time made between the said John Cross, the father, and the said Thomas Woolfall concerning the said marriage, the said John Cross, the father, granted to Thomas Wolfall and Robert Harrington, their heirs and assigns for ever, all

those several messuages then in the lease or holding or occupation of John Gregson, Ann Cowper, widow, Mary Walmsley, widow, Agnes Calford, Adam Pope, John Osbalston, and Richard Ireland, or their assigns, lying and being within the towns, hamlets, and precincts of Mellor and Showley, in the said county, and also all other messuages of him the said John Cross, the father, lying in Mellor or Showley or either of them, to have and to hold to the said Thomas Woolfall and Robert Harrington and their heirs to and for the use of the said John Cross, the father, for life, and after to petitioner and the heirs male of his body, with divers remainders over in tail, remainder in fee to John Cross, the father, his heirs and assigns for ever. The sealing and delivery of the said deed was proved by Robert Cross, gentleman, one of the witnesses endorsed; who proved also that John Cross, the father, died in December, 1640, and that he was by and present at his burial in the church at "Leurpoole," and that he had but only one daughter (called Frances), and that she had not then nor ever had to his knowledge any interest or title in the estate called Mellor and Showley.

It was deposed by Thomas Pope that he had paid several sums of money to use of petitioner, being the rents for the tenements mentioned above.

The Lancashire Commissioners certified as in Vol. xcix.¹

Petitioner was conformable, as was shewn by certificates dated 9 and 12 January, 1652[-3], under the hands of Richard Standish and Henry Welsh, minister, and James Park and Henry Lucas, whereby it appeared that petitioner had frequented the church of Chorley, and heard prayers and sermons several sabbath days then last past. He found other matters relating to the daughters of Mr. Cross, and he submitted for judgment whether the sequestration should not be discharged.

fo. 386. Certificate of proceedings taken in the matter.

fo. 387. Order of reference to Lancaster Commissioners.

¹ See page 97.

fo. 390. Petition (copy), 8 September, 1652.

fo. 392. Communication dated at Ormskirke, 26 January, 1652[-3], signed by Edw: Aspinwall and Robt. Cunliffe, mentioning proceedings taken in the case.

fo. 393. Examinations at Preston, 20 October, 1652, of John Cross, of Chorley, gentleman; Thomas Pope, of Meller, husbandman; Robert Cross, of Chorley, gentleman. Certificate as to burial.

fo. 395. Two certificates as to attendance of petitioner at church.

fo. 397. Certificate signed by R. Sherwyn, auditor, as to the values of the lands as exhibited in the returns from the county.

(First Series, Vol. xcix., No. 3,888, fols. 68, &c.)

fo. 68. Letter dated at Preston, 27 May, 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigot, acknowledging receipt of an order dated 10 April then last, on the petition of the above, requiring them to examine the matter and contents thereof with witnesses on oath touching petitioner's title to certain closes of land in the petition mentioned, stating they had done so and enclosed copies of the evidence, and further that Francis Westby, party to the indenture of lease made to petitioner, was then under sequestration for delinquency.

fo. 63. Examination taken at Preston, 6 May, 1651, of Edmund Blacowe, of Barton, yeoman, and

fo. 64. of Lawrence Anderton, of Barton.

(First Series, Vol. xcix., No. —, fols. 175, &c.)

fo. 175. Letter dated at Ormeskirke, 26 January, 1652[-3], signed by E. Aspinwall and Robt. Cunliffe, mentioning that in observance of an order of the 8th of September then last, made on the petition of the above, they had taken the examinations (enclosed) for proof of petitioner's title to the estate mentioned in the petition, and that upon perusal of their agent's accounts they found

that since the year 1643 two thirds of the said estate had been accounted for as sequestrated from the daughters of John Cross, Esq., then late father of petitioner, for their recusancy; but they conceived the same to be a mistake, for they could not find that the then late Mr. Cross had any daughters other than one by a former wife, who never claimed any interest in the land in question. Neither could they find any order for the sequestration of the estate in the books then in their custody, which comprised all the books of orders from October, 1645, before which time there was no constant register, and that petitioner being then about eighteen years of age had gone before them and taken the oath of abjuration of popery and was conformable in religion.

fo. 171. Examinations taken at Preston, 20 October, 1652, of Robert Crosse, of Chorley, gentleman; Thomas Pope, of Meller, husbandman.

fo. 172. Examinations taken at Preston, 14 January, 1652[-3], of Robert Crosse.

fo. 173. Certificate signed by Ri: Standish, stating that petitioner was a frequenter of Chorley Church.

fo. 173. Same, describing petitioner as son of John Crosse, of Liverpool, gentleman, signed by Henry Welshe, minister of Chorley, and James Parker and Henry Lucas [?], churchwardens.

(First Series, Vol. cxiii., No. 7,008, fol. 357.)

(Totally destroyed by damp.)

Richard Croston, of Beath Charnock, Tanner.

(Second Series, Vol. xlii., No. 2,498, fols. 363, &c.)

fo. 363. Delinquency; adhering to the forces raised against the Parliament. He petitioned 12 June, 1649, and compounded upon a particular which disclosed that he was seized of a franktenement for his own life consisting

of a messuage with sundry lands lying and being in Heath Charnock aforesaid, holden of Richard Standish, Esq., worth yearly £6. Fine, £12 (4 July, 1649).

fo. 366. Particular.

fo. 368. Petition.

Richard Croycblow, of Claughton, Husbandman.

(Second Series, Vol. liv., No. 3,571, fol. 2.)

fo. 2. Petition and particular. Delinquency; adhering to the King's party against the Parliament. By his particular he appears to have been seized of a messuage and ten acres of land in Claughton for one life, worth £5 a year. He stood indebted to several persons amounting in the aggregate to £40. Fine, £7. 10s. (15 May, 1649).

The Poor of Cuerden, &c.

(First Series, Vol. lxxii., No. 2,279, fol. 601.)

fo. 601. Petition from John Woodcocke and Gilbert Jackson, of Cuerden, Robert Holland and James Gorton, of Walton-le-Dale, Robert Lowe and Laurence Breeres, of Whittle-in-le-Woods, for and in behalf of the poor people within the afore-mentioned townships, co. Lancaster, which shewed that whereas Reynold Burscogh and Peter Burscogh, by their several wills and other deeds, gave and bequeathed to the poor inhabitants of the said townships the yearly sum of £23. 6s. 8d. for ever, to be paid forth of the tithe corn of Whittle and Cuerden aforesaid; and the surplus of the said tithe corn they gave and bequeathed to Thomas Osbaston, Richard Woodcocke, and Christopher Bannester, and their heirs for ever; that the same was accordingly disposed of to the said several uses before the wars, but in the year 1644 the surplus became sequestered for the several recusancies of the said Osbaston, Wood-

cocke, and Bannester by the Commissioners for Lancashire; but they never intermeddled with the £23. 6s. 8d., but yearly continued the payment as long as they acted, and the same was paid by their successors for the years 1650 and 1651; but so it was they had of late suspended the payment, alleging that by their instructions they had not power to allow the same without an order special from above, notwithstanding the great necessity the said poor inhabitants were then in. They therefore prayed that an order might issue calling upon the Lancashire Commissioners to certify the cause why they stayed the payment of the said yearly sum (15 April, 1652). This was granted.

(First Series, Vol. lxvii., No. 2,154, fols. 613, &c.)

fo. 621. Petition, shewing that "whereas Reignold Burscough & Peter Burscough, by their several wills, testaments, and other deeds, did give and bequeath unto the poore inhabitans of the said Townships the yearely sume of £23. 6s. 8d. for ever, to be p^d forth of the Tith Corne of Whittle & Cuerdon afores^d, & the surplusage of the s^d tyth corne did give and bequeath to Tho: Osbaldeston, Rich: Woodcocke, & Christopher Bannister, and their heires for ev^r.

"That the s^d Tyths was accordingly disposed of to the s^d several uses before these times, but afterwards, (to witt) in the yeare 1644, the surplusage before named became seqrd for the several Recusancies of Tho: Osbaldeston, Rich^d Woodcock, & Christopher Bañister by the then Com^{tee} for the s^d County, but did never intermeddle with said sume of £23. 6s. 8d. p ann., but continued the paym^t thereof yearly during the time they did act. And y^t the same was p^d by yo^r Com^{rs} here for y^e yeares 1650-1651, yet soe it is y^t now of late they (the s^d Com^{rs} of Lanc^r) have stayed paym^t of the s^d yearely Sume, alleadging by their instruccōns they have not power to allowe & pay the same without y^r spetiall ord^r, notwthstanding the greate necessity the s^d poore Inhabitants are in.

"Therefore humbly praye yo^r hono^{rs}' ord^r directed to the s^d Com^{rs} to Certifie the staying paym^t of the s^d yearly Sum^e, and give direccōns to yo^r Councill to state and Report the case to yo^r Hono^{rs}.

"And they will pray, etc.,

(Signed) "JAMES GORTON, JOHN WODCOCK,
ROB^t LOWE, GILB^t JACKSON,
LAW. BRERES, ROB^t HOLLAND."

"15 Dec^r, 1654."

fo. 613. Report by Mr. Reading, dated 20 May, 1653, on the above petition. He found that Peter Buscough, of Banckhall in Breaton [Bretherton], in the county of Lancaster, gentleman, and others, by their indentures quadrupartite bearing date the 11th of June, 1618, reciting a gift of the last will and testament of Reynold Buscough, gentleman, deceased, brother of the said Peter, whereby he gave the sum of £11. 6s. 8d. to the poor of the several towns before mentioned; and also reciting another gift by him, the said Peter Buscough, of another sum of £5. 13s. 4d., to be given to the same poor; the said Peter Burscough by the said indenture did give, grant, and confirm unto James Anderton and twenty-one others therein named, their heirs and assigns for ever, the yearly rent or sum of £17, to be issuing out of the tithe-barns and tithes and other hereditaments the inheritance of the said Reynold Buscough and Peter Buscough in Cuerden and Whittle aforesaid, payable upon every first day of March for ever upon trust and confidence that the said trustees and their heirs should, with the said yearly rental of £17, succour and relieve the poorest people inhabiting within the town of Walton-in-le-Dale £10 yearly, and to the poorest people inhabiting within the town of Cuerdon £3, and to the poorest people inhabiting within the town of Whittle £4 yearly, as by the said [deed] then produced before the Commissioners appeared.

And he found that the said Peter Buscough, by his last will and testament, bearing date the 11th of June, 1623,

reciting that whereas, by a deed of feoffment bearing date the 7th October then last past, he had conveyed all his messuages, lands, tenements, tithes, and other hereditaments within the county of Lancaster, unto Thomas Bannister, gentleman, Richard Woodcock, and William Osbaldeston, and their heirs and assigns, to such uses and purposes as he should limit and appoint by his last will and testament, he did, by his will and testament, limit and appoint that for and concerning all those his tithes, tithe-barns, and crofts in Whittle-in-the-Woods and Cuerden the said feoffees and their heirs should stand and be seized thereof; and he did thereby give and bequeath the same to the use and behoof of Thomas Osbaldeston, Richard Woodcock, and Christopher Bannister, and their heirs for ever. And by his said will he did give out of the said tithes to the poor people in Whittle-in-the-Woods for ever the sum of £4, and did give and bequeath out of the said tithes to the poor people of Cuerdon £2. 6s. 8d. to be paid yearly for ever after his decease, as by the said will, proved before the Commissioners, appeared.

And it was certified by the Commissioners for Lancashire the 13th January, 1652[-3], in answer to an order of 15 December, 1652, that they found not anything in their books or papers touching the said legacy, only the petitioners produced before them an order the 26th August, 1645, made by the Deputy-Lieutenants and their Committee of that county, whereof they transmitted copies; and that the said legacies had been paid out of the said tithes, as in the petition is expressed, until, finding that the same were paid out of the tithes aforesaid, two third parts whereof had been about the year 1643 sequestered for the several recusancies of Osbaldeston, Woodcock, and Bannister, named in the petition, who were at the time of these proceedings all dead, the sequestrators suspended the payment, and still continued to secure the same according to instructions.

Roger Fforth proved the sealing of the indenture quadrupartite, and further deposed that he did not know that

Thomas Osbaldeston, Richard Woodcock, nor Christopher Bannister ever claimed any title to the tithes of Whittle or Cuerden, or either of them.

And Thomas Clayton and Lawrence Brere proved also the sealing of the said indenture quadrupartite, and that they knew not of any title claimed by the said Osbaldeston, Woodcock, or Bannister to the said tithes other than to the uses therein mentioned.

It was certified by Mr. Auditor Sherwyn, the 17th February, 1652[-3], that he found the tithe corn in Whittle and Cuerden sequestered for the delinquency of Christopher Bannister and Thomas Stanly, and that the same was let to Thomas Audland for a year at the rent of £14, which was paid, but he found in the accounts exhibited 3 June, 1652, being for a year ended 1 January, 1651[-2], Christopher Bannister mentioned only as a Papist, and as for the tithe corn in Whittle and Cuerden, two parts thereof were let to William Audland for £12. 5s. 7d., and that he found not Thomas Osbaldeston sequestered otherwise than for recusancy.

Certificates were put in exhibiting that the other trustees were also each sequestrated for recusancy.

So he submitted to judgment whether the rents of £17 and £6. 6s. 8d. should not be paid to the poor of the said parishes the sequestration notwithstanding.

fo. 617. Certificate exhibiting what proceedings had been had in the case.

fo. 619. Reference to Lancashire Commissioners.

fo. 623. Certificate dated 17 February, 1652[-3], signed by R. Sherwyn, auditor, mentioning that in an account of the revenues and profits of several sequestered estates in the county of Lancaster from the 20th November, 1649, to the 2nd February, 1650[-1], the tithe corn in Whittle and Cuerden, which had been sequestered for the delinquency of Christopher Banister and Thomas Stanley, had been let to Thomas Audland, of Preston, for one year at a rent of £14, also for a subsequent year £14, but the amount received is set at £12. 5s. 7d.

fo. 625. "Gent,

"In observance of yo^r order of the 15th Dec^r last, made upon y^e petn. of John Woodcock & others, for & on the behalfe of the poore people within the Townsh^p Walton, touching a Legacy of £23. 6s. 8d. given to the poor by Reynold Burscough & Peter Burscough, dec^d, forth of the tyth corne of Whittle & Cuerden, Wee have taken the Dep^{ns} of seu^rall Wittnesses therein, as well on behalfe of the Com^{on}wealth as on y^e pet^{rs}' pte, upon Inter^s (coppys of w^{ch} Inter^s are here likewise inclosed), and wee further humbly Certify y^t wee find not anything in the booke & pap^{rs} of the late Com^{tee} or our owne touching the s^d Legacy, only the pet^{rs} have produced before us an order Dated y^e 26th of Aug^t, 1645, made by the Deputy L^{ts} & the then Com^{tee} of this County, & a Sumons dated 10th of Jan., 1645[-6], to one of the then Seq^{rs} of the s^d Tyths, w^{ch} ord^r & Sumons wee have likewise sent inclosed. And wee likewise find y^t the s^d Legacies hath beene p^de out of the s^d Tyths, as in the petⁿ is expressed, until wee, finding y^t the same was p^d out of the tyths afores^d, two third pts whereof were about the yeare 1643 seq^d for the seu^rall Recusanyes of Osbaldeston, Woodcock, & Banister, names in the s^d petⁿ, who are all since dead, but y^e Seqⁿ still continues. Wee secured the same according to yo^r Honor^s Instrucc^{ons} w^{ch} wee submitt to yo^r honor^s Judgm^{ts}, & rest

"Yo^r honor^s most huble serv^{ts},

(Signed) "R. ASPINWALL,
ROBT CUNLIFFE."

"Preston, 13 January, 1652[-3]."

"A True copy, 16 Feby., 1652[-3],

"JO. LEECH."

fo. 627. "These are to Require & charge you to bring James Heyworth, of Heapy, before the Com^{tee} at Preston, at the next sitting for Leyland Hundred, there to give an acc^t for Some tyths hee hath rec^d for the yeares already past & this yeare in being, belonging to the poore of

Walton, & not to faile. Given at Preston und^r o^r hands,
Jan. y^e 10, 1645[-6].

(Signed) "ROBT RINDLES,
RICH^d HOGHTON,
THO: BIRCH,
NICH: CUNLIFFE,
J. RIGBY,
W^m PINXE,
H. FFLETWOODE."

"To y^e Constables of
Heapey, these."

"16 Feb., 1652[-3]."

"A true copy of the Returne frō Lanc^r
on ten written sides."

"JO. LEECH."

fo. 629. "Interrogatories to be administered to Certeyne
wittnesses before the Com^{rs} for Seq^{ns} in the County of
Lanc^r, by virtue of an Ord^r from the Com^{rs} for Com-
pounding dated y^e 15th of Dec^r, 1652, made in the case of
John Woodcock & others:—

ffirst. Whether were yo^u by & p^{rt}. when Willm. Clayton,
gent., Did seale, signe, & as his Act & Deede Delieu^r
y^e Quadriptide Indenture nowe shewed to you beare-
ing date y^e 11th July, 16 Jac: made betweene Peeter
Burscough & others on the first, John Morice on the
2^d p^t, James Langly on the third p^t, & James Ander-
ton & others on the 4th p^t, and whereupon the Com^{rs}
for Seq^{ns} or Some of them have endorsed their
names; and whether was the same delieu^d about
the time it beares date?

2^d. Whether were not you by & p^{nt}. when James
Langly, Clerke, did seale, signe, & as his Act and
Deede Delieu^r y^e Indenture Quadriptide nowe
shewed you, and Whereupon y^e Com^{rs} for Seq^{ns} or
some of them have endorsed their names, Dated
the 11th July in the 16 yeare of y^e late King James,
made between Peter Burscough & others on the
first p^t, John Morice on the second p^t, & the s^d
James Langly on the third p^t, & James Anderton &
others on the 4th p^t? Declare yo^r knowledge herein.

3^b. Were you acquainted wth the hand writing of Richard Shawe, late of Preston, gent., Dec^d, & is the same Rich. Shawe his hand writing written three times to the Sealeing, signeing, & Delieuey of the s^d Indenture, & W^t doe yo^u believe concerning the same?

"Ex^r p R. WALL."

fo. 631.

"Att Leigh, 26 Augusti, 1645.

"It is ordered upon y^e petⁿ within written y^t the Sequestrator James Haworth, named in the petⁿ, shall forthwith make paym^t of the Sum^e of Twenty pounds, being in arreare & due to the poore of Walton, and y^e Sequestrator^s of the tyth barnes of Whittle & Cuerden for the time being are ordered to pay the s^d ten pounds on Good ffryday yearly for the future to the poore of Walton, according as is peti^oned, to the s^d two Churchwardens for the time being, John Bryars, Geo: Darwen, Mattheue Cuerdon, & Rich. Baldwine.

(Signed) "G. BOOTH,
FF. LANGLEY,
RICH. HOGHTON,
J. BOOTH,
PET. EGERTON,
ED. BUTTERWORTH,
ROB^t HYDE."

fo. 633. "Deposi^ons of Witnesses taken before the Com^{rs} for Seq^{ns} in the County of Lanc^r, by Virtue of an Ord^r from y^e Com^{rs} for Compounding, Dated the 15th of Dec^r, 1652, in the case of John Woodcoke & others.

"Roger fforth, of Brindle, in the County of Lanc^r, Clerke, aged 57 yeares or thereabouts, Sworne & ex^d, saith:

"2. To the second Inter: y^t hee was by & p^rsent when James Langly, late of Leyland, Clerke, did Seale, Signe, & as his act & Deed Delieuey y^e Indenture Quadripte now shewed unto this Dep^t, & Whereupon the Com^{rs} for Seq^{ns} in this County or some of them have endorsed their names, Dated y^e 11th day of July in the 16th yeare of the late

Kinge James, made betweene Peter Burscough & others on the first p^t, John Morice of the 2^d p^t, & y^e s^d James Langly on the 3^d p^t, & James Anderton & others on the 4th p^t, And saith y^t it was soe sealed by Mr. Langly about Jan., 1645, to this Ex^{ts} best remembrance.

"3. To y^e 3rd Interr. hee saith hee very well knoweth Rich. Shawe, late of Preston, Dec^d, & was well acquainted with his hand writing, & saith y^t the name Rich. Shawe three times written on the backside of the s^d Indenture Quadriptide is y^e pp hand writeing of the s^d Rich. Shawe, as this Dep^t verily belieues.

(Signed) "ROGER FFORTH."

"Sworne unto at Preston,

y^e 13^o Jan., 1652[-3], before us,

"JOHN SAWREY, ROBT CUNLIFFE."

fo. 634. "The s^d Roger fforth, being further exd^d in behalfe of the Commonwealth, saith to y^e first Inter. he doth not knowe y^t Tho. Osbaldeston, Rich. Woodcock, & Xpöfer Bañester, their heires, Executors, Adm^{rs}, & assëes, or any of them, in their or any of their behalves, did eu^r or nowe claime any title to y^e Tythes of Whittle, Cuerdon, or any p^t of them, or either of them.

(Signed) "ROGER FFORTH."

Sworn same time and place.

fo. 635. Copy petition.

fo. 637. Interrogatory as administered above.

fo. 639. Thomas Clayton, of Fulwood, gentleman, son of William Clayton, to the first interrogatory answered the same as the preceding deponent. Sworn same time and place. To the interrogatory on behalf of the Commonwealth, he answered the same as the preceding deponent.

fo. 640. Laurence Brere, of Whittle, yeoman, to the interrogatory on the part of the Commonwealth, answered as the others did.

(First Series, Vol. lxi., No. —, fol. 811.)

fo. 811. "Robert Lowe maketh oath that the Legacy given by Peter Burcough and Reynold Burcough to the poore of Walton-in-le-Dale, Cuerden, & Whittle-in-le-Woods, in the County of Lancaster, were never sequestered (to the best of this deponent's knowledge), but were secured for Banester, Osbaldeston, & Woodcocke's recusancy, about three quarters of one year since; and further deposeth that he knoweth that there is 40 poore people in Whittle-in-le-Woods and in the Towneship of Walton-in-le-Dale and Cuerden which have had allowances out of the said Legacy before they were secured for the Recusancies above said, for want of which Legacy parte of the poore above mentioned are constreyned to goe for reliefe to some neighbouring townes. And this Deponent the better knoweth the premisses for that his habitacon is in Whittle-in-le-Woods, in the said County of Lancaster, and is an humble peticioner in the behalf of the said poore.

(Signed) "ROBTE. LOWE."

"Sworn before the Com^{rs},

"15 July, 1653."

Thomas Culbeth, Esq.

(First Series, Vol. lxxi., No. 2,579, fol. 511.)

fo. 511. Petition from Thomas Hawerden, of Upton, disclosing that on January 1st, 1651[-2], a lease had been granted by the Lancashire Commissioners to petitioner or his assigns of two thirds of the tithe corn of and within the manor and township of Culcheth, sequestered for the recusancy of Thomas Culcheth, Esq., for a term of seven years from the 1st of August then last, at a rent of £47, and petitioner had continued to enjoy the same. Petitioner now prayed for a confirmation of the lease (21 September, 1653). Ordered to certify whether they (the Lancashire Commissioners) had proceeded according to instructions.

(First Series, Vol. xcvi., No. 3,864, fol. 513.)

fo. 513. Letter from Lancashire Commissioners dated at Preston, 4 November, 1653, upon the petition of Thomas Hawerden, of Upton, gentleman, touching a confirmation of a lease made by him for two thirds the tithe corn within the manor and township of Culcheth, sequestered for the delinquency of Thomas Culcheth. They stated that they had examined the books of their predecessors, the former Commissioners, and found that the said tithes had been surveyed and "Posted and after Boxed att," and the ticket given in by petitioner was the highest. The tithes were let to him, and lease dated 1 January, 1651[-2], for seven years from the 1st August, 1651, at a yearly rent of £47, payable half yearly, as by a counterpart of the lease and a bond for £94 remaining in their hands appeared (16 December, 1653). "Confirmed soe farr as proceeded in accordinge to instruccõns."

(First Series, Vol. lxxxii., No. 2,608, fol. 137.)

fo. 137. Petition disclosing that two thirds of his estate were under sequestration for his recusancy only; he therefore prayed to be admitted to contract for the same (30 December, 1653). Referred to Mr. Reading.

Ellen Dalton, an Infant.

(First Series, Vol. xix., No. 528, fols. 583, &c.)

fo. 583. Report on the petition of James Anderton, Esq., and Gabriell Hesketh, gentleman, and Lawrence Copeland, yeoman, on her behalf, desiring an examination of their title to the remainder of a lease of 1,000 years of certain lands granted to them in trust for the said Ellen Dalton, which lands were then under sequestration for the recusancy of Margaret, Elizabeth, Ann, Jane, Ellen, Dorothy, Katherine, and Hellenor Dalton (daughters of

Robert Dalton, Esq., deceased), whose estate therein had expired.

Mr. Reading found that by an indenture dated 13 December, 1640, made between Margaret Dalton, Elizabeth Dalton, Ann Dalton, Jane Dalton, Ellen Dalton, Dorothy Dalton, Katherin Dalton, and Hellinor Dalton, daughters of the said Robert Dalton, Esq., deceased, of the one part, and Thomas Dalton, Esq., James Anderton, John Westby, Esqs., Gabriell Hesketh, gentleman, and Lawrence Copeland, yeoman, of the other part, reciting that whereas the 14th of August, 1626, the said Robert Dalton, for the consideration therein expressed, demised to Humphrey Davenport, Roger Kirkby, Thomas Couell, John Bradshaw, Adam Mort, and Edward Gervis (amongst other things) one messuage or tenement then in the possession of Francis Stith or his assigns, being of the yearly value of 21s. 2½d.; and also a messuage, &c., in the tenure of Robert Barton, worth yearly 22s. 6d.; another in the tenure of Robert Serjant, worth 22s. 8½d.; another in the tenure of Thomas Wather [? Waller], worth 13s. 4d.; another in the tenure of Richard Hamson, worth 29s. 10½d.; another in the tenure of Robert Croskell, worth 26s. 8d.; another in the tenure of John Hadwin, worth 29s. 10½d.; and a messuage in the tenure of Robert Hoslan and Alice his wife, worth 9s. 10½d.; another in the tenure of Hellen Shesson [? Sherson or Sheirson], widow, worth 18s. yearly; another in the tenure of Robert White, worth yearly 18s., all being parcels of the manor of Bulk-cum-Alcliff, and all lands, woods, rents, reversions, &c., thereunto belonging, to have and hold from the making thereof for 1,000 years at a peppercorn rent; and reciting that whereas the said Humphrey Davenport, Thomas Dalton, Thomas Couell, John Bradshaw, Adam Mort, and Edward Gervis, by their indenture dated 1 September, 1638, made between them of the one part, and the said Margaret, Elizabeth, Ann, Jane, Ellen, Dorothy, Katherin, and Hellenor Dalton of the other part, for the discharge of the trust reposed in them by the said Robert Dalton in

the said recited deed expressed to be in trust and to the only use and behoof of the said Margaret and the others, for and towards their maintenance and preferment, did, by and with the consent and at the request of the said Thomas Dalton, amongst other things, assign and set over unto the said Margaret and the others, their executors and assigns, the before mentioned premises demised to them by the said Robert Dalton, and all their estate, interest, title, &c., and term of years, to have and hold for the residue of the 1,000 years to come; and the said Thomas Dalton, in consideration of 5s. in the last recited indenture mentioned, demised and granted to the said lessees and their assigns "all and singular goods and cattells of fellons, waifs, and straies, wrecks of the sea, profits, priveleges, and immunities whatsoever of him the said Thomas Dalton in Auliff aforesaid which were not granted to them by the said Robert Dalton by the said first recited deed," to have and hold from 14 August, 1626, for 1,000 years, yielding to him a peppercorn rent. That indenture witnessed that the said Margaret and the others as well, in consideration of £200 satisfied to them by the said Thomas Dalton and other considerations therein expressed, granted and assigned to the said James Anderton and John Westby, Gabriell Hesketh and Lawrence Copeland, all those before mentioned premises and all their estate, title, interest, term of years whatsoever of and in the same, to have and hold to the petitioners, their executors and assigns, from the 2nd February, 1654[-5], for the remainder of the said 1,000 years then to come and unexpired, to and for the maintenance and preferment of Ellen Dalton, one of the daughters of the said Thomas Dalton, and for no other use or purpose whatever, under the rent of a peppercorn.

Evidence was adduced shewing the *bona fides* of the last mentioned indenture by John Laithes, Thomas Sergeant, and Robert Bainton, the latter of whom deposed that Robert Dalton died about twenty-eight years then ago, and Thomas about eight or nine years then ago, and that Ellen Dalton, the infant, was at the time of these

proceedings fifteen or sixteen years of age, but deponent did not know whether she had been brought up to the Protestant faith or not.

The deed of 14 August, 1626, was produced and proved before the Lancashire Commissioners, also the deed of 1 September, 1638, by John Lowe, one of the witnesses endorsed.

Gabriell Hesketh deposed that he knew of no other trust than the one mentioned in the said indenture, and he did not know that the said trust had ever been revoked or made void by any of the parties, nor did he know any cause in law or equity why deponent should not enjoy the lands and tenements in the said deed of trust mentioned.

The Lancashire Commissioners certified that in the year 1643 two third parts of the estate mentioned were sequestered for the recusancy of Margaret above mentioned and the others. That it was worth yearly clear £52. 18s. 2d., and they certified that "in the Book of Convictions" returned to them (of such persons as were convicted of recusancy in that county) in the year 1640 the said Margaret, Elizabeth, Ann, Jane, Ellen, Dorothy, Katherine, and Elenor Dalton were convicted of recusancy.

Mr. Baily certified that the said Margaret and the others had been all sequestrated, and that Thomas Dalton was one of the persons included in the Act for sale, and that James Anderton and John Westby (two of the petitioners) were also included in the said Act. Mr. Williams certified that he had searched in the books of seizures and convictions of recusants, but did not find any of their names, but he had no book of convictions in his custody for the county of Lancaster since the year 1638.

It was submitted for judgment whether, the estate being the estate of the said Margaret Dalton and her sisters, who were convicted of recusancy in 1640 and the same year conveyed their interest therein to the use of the said Ellen Dalton, the petitioner, being an infant, which was in time before the said lands were sequestered for their recusancy, which sequestration was in 1643, and the assign-

ment to commence the 2nd of February, 1654[-5], this assignment shall be good to take off the sequestration, although all the said recusants are living (26 June, 1655).

fo. 589. Order of reference to Lancashire Commissioners.

fo. 591. Petition (copy), 11 May, 1655.

fo. 592. Certificate by Mr. Bayly, referred to in the report.

fo. 593. Communication from Lancashire Commissioners, dated at Ormskirke, 1 June, 1655, mentioning what steps they had taken in the matter, and forwarding copies of examinations and cross-examinations, &c.

fo. 595. Examination of Thomas Sergeant, of Adcliffe, on the part of the Commonwealth (sworn at Ormskirke, 31 May, 1655). Also of Thomas Laythes.

ff. 597-600. Interrogatories administered on the part of petitioners and the Commonwealth.

fo. 601. Replies of Robert Bainton, John Lowe, and Robert Bainton, of Midcliff, John Laythes, of Ashton, Thomas Sergeant, of Aldcliff, Gabriell Hesketh, of Goose-nargh, and of

fo. 604. Robert Bainton, on further examination (all sworn 31 May, 1655).

fo. 605. Extract from accounts exhibiting the annual rental of the lands in question for the year ending March 24th, 1653[-4], signed by Thomas Browne, auditor.

Between this folio (605) and fo. 634 there are other papers belonging to different sets interpolated.

Margaret, Elizabeth, Jane, Ellen, Dorothy, Katherine, and Phillippa Dalton, Sisters of Thomas Dalton, late of Tburnham, co. Lancaster.

(First Series, Vol. xix., No. 532, fols. 634, &c.)

fo. 646. Petition, which shewed that two thirds of petitioners' estate at Adcliff stood jointly sequestered for their recusancy only. Petitioners prayed that they might be

allowed jointly to contract for the redemption of their interests. Referred to Mr. Reading (13 January, 1653[-4]).
fo. 650. Petition.

fo. 652. Petition of Katherine Dalton, of Awcliffe, which shewed that she had taken a seven years' lease of two parts out of three of her own estate from the Lancashire Commissioners. Prayed that the London Commissioners would confirm the arrangement (19 May, 1653). "The Commissioners to certifie whether they have let the estate according to the Act of Parliam^t and our Instruccōns.

"E. W., R. M."

fo. 634. Certificate signed by Daubeny Williams, shewing that he had searched the books in his custody relating to Lancashire, Middlesex, and London, and found no conviction against Margaret Dalton or her sisters (11 May, 1655).

Katherine Dalton, of Awcliffe.

(First Series, Vol. ci., No. 4,113, fol. 412.)

fo. 412. Letter dated at Preston, June 17th, 1653, signed by E. Aspinwall, Nicholas Cunliffe, and Ro. Massey, mentioning that in observance of an order of the 19th May, 1653, made upon the petition of the above, touching a lease made by the then former Commissioners unto petitioner of two third parts of her own estate in Awcliffe, they certified that they found that two thirds of the said estate had been sequestrated for the recusancy of petitioner and six other of her sisters, and that the same had been surveyed, posted, and let according to their honours' instructions; and that after the contract the said Commissioners leased the same to petitioner by indenture under their hands and seals for seven years at £40 a year rent, with the usual covenants, taking as security the said Katherine with William Dicconson and John Lathes.

Thomas Dalton, Esq.

(First Series, Vol. lxxiii., No. 2, 174, fol. 259.)

fo. 259. Petition from Captain William Waller, of the town of Lancaster, which shewed that King James, among other things, granted to Henry Parker, Esq., and his heirs for ever, a parcel of ground within the manor of Bulke, co. Lancaster, containing two acres, called or known by the name of the Brerebutts or Milne Close; that the said Henry Parker about the year 1630 granted the said land to one Sharp and his heirs, who conveyed the same to petitioner and his heirs; that in 1642 Thomas Dalton, Esq., becoming a delinquent, and being lord of the said manor of Bulke (where the land lay), the said manor was sequestered, and subsequently the Agent for Sequestrations held the land, pretending it to be the estate of the said Thomas Dalton. Prayed for an order restoring the lands, or an enquiry into his title, &c. (25 February, 1651[-2]). The Commissioners directed to examine and certify.

(First Series, Vol. xix., No. 528, fol. 637.)

fo. 637. Contract by Francis Cobb, Esq., and John Calvert, gentleman, for the purchase of the manor of Thurnham and Bulke, with the lands, &c., belonging, and of certain lands in Cockram *alias* Cockersan, and also for "the bounes and seruices thereof," and a mill with certain lands in the town of Lancaster, late parcel of the estate of Thomas Dalton (11 August, 1653).

(First Series, Vol. ci., No. 4, 114, fols. 413, &c.)

fo. 416. Letter dated 3 November, 1653, signed by E. Aspinwall and Ro: Massey, mentioning that among the papers of the then former Commissioners they found an order from their honours of the 25th February, 1651[-2], made upon the petition of Captain William Waller, of the town of Lancaster, touching his title to two acres of land

called Brere Butts or Milne Close in the said petition mentioned; and they likewise found the deposition of one witness taken before them on February 9th, 1652[-3], and, finding there were no other witnesses examined on the deposition returned, they enclosed a copy thereof, certifying that the said land had in the year 1643 been sequestrated for the delinquency of Thomas Dalton, Esq., a papist.

fo. 413. Examination taken at Preston, February 9th, 1652[-3], of Myles Atkinson, of Skerton, yeoman, who said he was a witness to a deed of assignment made between Thomas, son of Thomas Sharpe, of Horneby, and William Waller, dated 22 December, 1651. Deponent for twenty-five years had farmed a parcel of land called the Brere Butts or Milne Close, and during all that time, as far as he remembered, he never heard of Thomas Dalton, Esq., challenging or claiming the land till after the death of Mr. Parker, from whom deponent farmed it.

For Inhabitants of Dalton see John Preston.

Henry Dandy,¹ of Bretherton.

(First Series, Vol. lxxi., No. 2,590, fols. 585, &c.)

fo. 585. Petition, which mentions that petitioner's estate was "caid" under sequestration for the delinquency of his father, who was dead then about seven years past, and that the case was to be reported by an order of the Commissioners by Mr. Brereton. Petitioner prayed that the rent which would become due about the 26th of June then instant (1651) might not be demanded by the Lancashire Commissioners or their agents until it should have been shewn whether the estate was liable to be sequestrated or not, 11 June, 1651. "To stay, &c., for 2 months."

fo. 587. Former petition.

See also papers of Henry Snart.

¹ The signature to this petition is Danby.

— **Dandy, Widow, of Croston.**

(First Series, Vol. lxxxi., No. 2,590, fol. 584.)

fo. 584. Petition, shewing that two thirds of petitioner's estate were sequestered for her recusancy only.

She therefore prayed to be admitted to contract for the same (27 December, 1653). Referred to Mr. Reading to report.

This case does not appear to be entered in the General Index Nominum to the series.

John Danson, of Esbrick [Esprick],¹ an Infant.

(First Series, Vol. xix., No. 537, fol. 750.)

fo. 750. Petition, which shewed that petitioner's grandfather, John Danson, of Esbrick, was seized in fee of a messuage and certain parcels of land in Esbrick, and settled the same to remain to himself for life, after to Rowland Danson, his son, father of petitioner; that he (Rowland) died about nine years then ago, and that since the war two thirds of the estate had been under sequestration for the "poperie" of John Danson, petitioner's grandfather, and so it then remained although the said John Danson had died on the 11th of September, 1654. Petitioner, an infant, and conformable, had not enjoyed the property; he therefore prayed for an order directing the Lancashire Commissioners to examine the case (26 September, 1654); granted. Mr. Reading to report.

(First Series, Vol. lxxxv., No. 3,098, fol. 627, &c.)

fo. 627. Interrogatories administered on his behalf:—

1-2. Whether deponents knew John Danson, the petitioner, and — Danson, grandfather to petitioner, and Rowland Danson, petitioner's father, and how

¹ In Kirkham parish.

long then was it since the deaths and burials of the two latter?

3. Were deponents by when John Danson signed, sealed, and delivered an indenture of trust as his act dated 13 May, xii^o Charles the First [1636]?
4. Had they heard, and did they believe, that two thirds of the said land became sequestered for the popery of John Danson, then deceased, petitioner's grandfather, and did it still then continue, the death and burial of the said John and Rowland his son notwithstanding?

fo. 628. Depositions taken at Preston 23 October, 1654, of William Greenehall, of Trayles, yeoman; and of

fo. 629. Henry Eccleston, of Greenehalgh, yeoman, aged thirty-nine.

fo. 630. Interrogatories on behalf of the Commonwealth. Cross-examination of the above persons.

fo. 635. Letter from Lancashire Commissioners dated at Warrington, November 3rd, 1654.

Thomas Danson, of Rooscolt [Ruscoat], Gent.

(Second Series, Vol. xli., No. 2,447, fols. 699, &c.)

fo. 699. Delinquency, leaving his habitation, going into the enemies' garrison, and adhering to the forces raised against the Parliament. He petitioned 2 May, 1649, and compounded upon a particular which disclosed that he was seized of a customary estate of inheritance of and in certain lands and tenements in Rooscoet aforesaid, held of the late King as of his manor of Plaine ffourneys, worth beyond the reserved rent yearly £10. Also of a life estate in two other tenements lying in Stanke and Stone Dikes, held as aforesaid, worth yearly £5 beyond the reserved rent. Fine, £45 (28 June, 1649).

fo. 700. Petition.

fo. 751. Particulars.

John Davy.

(First Series, Vol. ci., No. 4,187, fol. 473.)

(Totally destroyed by damp.)

Edward Deane, of Rainhill, Yeoman.

(First Series, Vol. c., No. 4,019, fols. 323, &c.)

fo. 327. Letter dated at Preston, 9 August, 1653, signed by E. Aspinwall, Ro: Massey, and Nicholas Cunliffe, mentioning that by an order of the 22nd July then last, made upon the petition of the above, they were required to examine such witnesses as should be produced before them in proof of the matter alleged in the said petition, which they had done, and enclosed copies.

fo. 323. Interrogatories administered.

fo. 324. Examination of Richard Hassall, of Raynall, husbandman.

ff. 325-6. Interrogatories administered on behalf of the Commonwealth to the above Richard Hassall.

See also papers of **John Lancaster**.

For **Henry and Anne Deane** see **John Lowe**.

John Denis, of Cockerholme, Husbandman.

(Second Series, Vol. xliii., No. 2,580, fols. 321, &c.)

fo. 321. Delinquency, adhering to and assisting the forces raised against the Parliament. He petitioned 20 April, 1649, and compounded upon a particular which disclosed that he was seized during the term of three lives of a tenement and certain lands lying in Cockerholme, held of the lord of the manor of Cockerholme, and worth yearly £5. Fine, £12. 10s. (24 April, 1649).

fo. 324. Petition.

fo. 325. Particular.

On the endorsement is "ūpd ' [unpaid].

Edward Denton, Gentleman.

(First Series, Vol. xx., No. 553-2, fol. 187.)

fo. 187. Contract for the purchase by Ralph Barnes, gentleman, of a messuage and lands lying near Ditton Green, in Prescot parish, then in the occupation of John Barnes or his assigns, late the estate of Edward Denton, gentleman (12 August, 1653).

John Denton, Gentleman.

(First Series, Vol. xx., No. 553-2, fol. 189.)

fo. 189. Contract by Peter Low, yeoman, for purchase of a messuage with lands in Widnesse, within the manor of Widnesse, in the occupation of purchaser, late parcel of the estate of John Denton, gentleman (14 December, 1653).

John Denton, of Widnes, and Henry Woods, of Penketh, Husbandmen.

(First Series, Vol. lxxvii., No. 2,360, fols. 198, &c.)

Petition, shewing that their poor estate had been sequestered, and that the reports in regard to the cause had been returned. They prayed for a discharge of the sequestration. (No date or order.)

fo. 201. Affidavit of John Plumpton, sworn before the Commissioners in London, 28 May, 1651; he said that after the Lancashire Commissioners had received their agent's certificate upon oath against petitioners, whereby he referred himself to the Committee's records taken and kept when they were first sequestered, they at the same

time pretended an order amongst the said records as he believed against the said Henry Woods since the year 1646 for keeping his estate under sequestration, but he dared not give it on oath ; whereupon Mr. Evan Wall, clerk to the Commissioners, was then ordered to search up the said records to shew the causes of their sequestrations, and also to see the pretended order what it was ; who upon search thereof told the Commissioners in the hearing of deponent that he could find nothing against Denton or Woods ; and deponent further said that to his best knowledge the said Denton or Woods had never been disturbed in their estates till then of late, neither had they paid any yearly compositions to the Agents for Sequestration as they themselves had told him, and as he believed.

fo. 203. Letter from Lancashire Commissioners.

fo. 206. Petition from Wood.

fo. 207. Joint petition.

(First Series, Vol. ci., No. 4,094, fols. 277, &c.)

fo. 283. Letter dated at Preston, 12 April, 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigot, mentioning that they having received two several orders of the 13th of February, 1651[-2], requiring them to examine and certify the cause of the sequestration of the several estates of the above, in obedience thereto directed the agent for the district to inform himself touching them, and to certify to them upon oath what he should find. He found that the estates had been sequestrated in 1643-1644 for delinquency, but what the cause was, as it was so long since their sequestration, they could not say, especially as the then old Committee kept no certain sittings or Rolls of information taken before them.

fo. 277. Letter from Jo. Case to the Commissioners at Preston, dated 3 July, 1651, reporting as referred to above.

fo. 279. Letter from Preston, 5 July, 1651, signed by Robt. Cunliffe and G. Pigot, on the same subject.

fo. 281. Affidavit of Case, sworn at Preston, 11 April, 1651.

**James Stanley, 7th Earl of Derby, Charlotte his
Wife, and Charles, Lord Strange, his Son,
afterwards 8th Earl of Derby.**

(Second Series, Vol. xlii., No. 2,517, fols. 599, &c.)

fo. 599. His delinquency, that being a peer of the realm he deserted the Parliament and took up arms against it, and was one of the persons excepted from pardon in the . . . propositions, but by the late votes left to compound at a moiety. He petitioned 22 January, 1648[-9]. He compounded upon a particular delivered in under his own hand, by which he did submit to such fine, &c., and whereby it appeared that William, late Earl of Derby, the compounder's father, being seized of the manors and lands hereafter mentioned to him and his heirs male of his body, with other remainders in tail (the reversion in the Crown), by original grant from the Crown, upon the compounder's marriage about the year 1625, as much as within him lay, did settle the same upon himself and the compounder for their lives, with remainder to the compounder's son, which was Charles, Lord Strange, and the heirs male of his body, with other remainders in tail (which deed, made by the same William, "he doth not produce," his writings having been all taken from him, as he alleged), viz.—

The manors of Lathom, Burscoe, Childwall,	£	s.	d.
the manors of Orme Church, Orton, Bish-			
ham, Bury, Heeton, Braughton [? Brought-			
ton], and divers other manors, lands, and			
tenements in his particular mentioned, in			
the county of Lancaster, of the yearly			
value in demesnes, quit and improved			
rents - - - - -	1,947	12	5
And in old rents there - - - - -	313	11	11

The manor and castle of Hawarden and
divers other manors, lands, and tene-

ments in the county of Flint, consisting	£	s.	d.
in demesnes, quit and improved rents,			
amounting to - - - - -	281	7	3
The manors of Thirske, Kirby Malzard,			
Burton, and Mewith, in the county of			
York, consisting in demesnes, chief and			
improved rents - - - - -	127	8	7
And in old rents - - - - -	54	11	10
The manors of Beddeston, Upton, and North-			
wich, with the Judges' fines, Lead-fines,			
salt-houses, and divers messuages, lands,			
and tenements in Mereton, Saughhall,			
Massie, and elsewhere in the county of			
Chester, consisting of demesnes, chief and			
improved rents, amounting yearly to - -	468	4	1
The manor and rectory of Ensam [Ensham],			
in the county of Oxford, of the yearly			
value of - - - - -	364	3	8½
The manor of Mereden and Alspath, in the			
county of Warwick, in chief and improved			
rents - - - - -	4	19	6
The manors of Beetham, Arneshed, and			
Witherslack, with the appurtenances, in			
the county of Westmoreland, of the			
yearly value - - - - -	119	18	8½
The manors of Bassingthygate and other			
lands and tenements there and in Bootle			
and Corney, in the county of Cumberland,			
of the yearly value of - - - - -	18	0	0
A messuage in Channell Row, in the county			
of Middlesex, of the yearly value of - -	66	13	4
And a small parcel of land in Thistleworth, ¹			
in the said county of Middlesex, of the			
yearly value of - - - - -	2	10	0

¹ (?) Isleworth.

He holds for the term of one year to come, £ s. d.
 by lease from King's College in Cambridge, the rectory of Prescott, in the said county of Lancaster, being of the yearly value above the rent of - - - - - 350 0 0

He holds by lease for one life the tithes of Yewle, in the parish of Hawarden aforesaid, worth yearly above the rent - - - 100 0 0

He holds by lease for one life the tithes of Bispham and Mawdesley, in the said county of Lancaster, worth yearly above the rent - - - - - 65 9 4

He hath a grant from King Henry VII. to him and his heirs male, for creation money of the earldom, £40 per annum issuing out of the manor of West Derby, in the county of Lancaster.

He hath the inheritances of the stewardship of the manor, hundred, and forest of Macclesfield, and the bailywick of the hundreds of Amoundeenes and Loynsdale, in the said county [of Lancaster].

He claimed deductions:—

£600 per annum rent payable for ever to the heirs male of the body of Sir Robert Stanley, knight, deceased, who had several sons then living, and for which the Countess of Lincoln, their mother, by order of the Lords and Commons for sequestrations of the —, hath the possession of the said manors of Lathom, Burscoid, and Childwall.

£1,520 debt to Sir Edmond Pye, knight, executor to Edmond Pye, deceased, for payment whereof the said Edmond Pye had a lease of the premises in "Corn Oxon," made in the year 16—, for ninety-nine years, redeemable upon payment of £3,000, for which the said Sir Edmond Pye is in possession of the lands and compounded for the said debt.

He stated there were divers other charges and estates upon the premises which in regard of the loss of his evidences and his late coming into his estate he could

not at the time find out, but prayed a saving to insert them when he should have discovered the same. Fine, £15,572. 16s. 5d. (12 July, 1649).

ff. 603-6. Particular of his estate, in which the different holdings are more minutely described under the Hundred of Derby, Lealand Hundred, Salford Hundred, Amoundernes Hundred, Loynsdale Hundred, and the counties of Flint, York, Oxford, Warwick, Chester, Westmoreland, Cumberland, Middlesex.

(First Series, Vol. xiii., No. 353, fols. 213, &c.)

fo. 213. Report by Mr. Bradshawe in the case of Lady Vere Carr. He found that the then late Countess of Derby did, by her last will, dated 19 February, 1626[-7], bequeath to petitioner £1,000 in the words following: "I give and bequeath to my Grandchild, Vere Carr, the some of £1,000, payable out of y^e Demesne of Bispham, which cost me £2,000." He found by the testimony of Mr. Charles Herle, "one of y^e Desemblie of Devines," that he, being her chaplain then in the house of the said Countess, did at her commands write the will (which was produced), and that the Earl of Derby promised to perform every particular therein; that the opinion of her counsel was that the Countess of Derby was of power to make a will, and that at a subsequent hearing the will held good in law; that the Earl of Derby upon all occasions expressed his purpose of paying the said legacy with advantage.

Petitioner said that the said Countess, being one of the coheirs of the Earl of Oxford, was possessed of an estate of inheritance which she sold to purchase certain lands lying about Lathom, which were estates by feoffment to her use upon Sir John Dacombe and others; and further said that her grandmother was advised by counsel that she was in power (though under covert baron) to make a will and charge the said lands with legacies, which she did (with consent of her husband and the then Earl of Derby, her son) to the value of £1,000 to the petitioner; and she prayed to have the said £1,000 paid out of the said lands

then sequestered for the delinquency of the then Earl of Derby, which, whether it ought not to be, is submitted to judgment (23 June, 1646).

fo. 211. 8 July, 1646. At the Committee of Lords and Commons for Sequestrations Mr. Bradshaw's report was considered, and upon long debate it was ordered that the case set forth in the said lady's petition and likewise Mr. Bradshaw's report be reported to both Houses of Parliament.

HEN. PELHAM.

fo. 304. Petition of Lady Vere Carr, in which she repeats the facts referred to in the report above (8 February, 1649[-50]). Referred to the examination of the Sub-Committee to state and report the same.

"JO: LEECH."

(First Series, Vol. lxxiii., No. 2, 166, fols. 130, &c.)

fo. 130. Petition from Thomas Wainwright and John Wickliffe, gentlemen, which shewed that petitioners had been joint bondsmen with one William Alcock, gentleman, in £400, to secure the payment of £200 to Edward Bridgman, Esq., being a debt due to him by James, Earl of Derby. The latter, by his deed dated 20 November, 1640, for the payment of the said debt, and the saving harmless the said Mr. Alcock and petitioners, assigned to petitioners and Alcock (who subsequently died) all the tithes of corn and grain within the townships of Holland and Dalton, in the county of Lancaster, with the tithe-barns and innings places¹ thereto belonging (*cum pertinent'*), until they should, out of the clear issues and profits thereof, have received and had the £200, with all interest, costs, and damages touching the same as by the said deed appeared.

That petitioners were then being threatened to be sued for the said money by one Mr. Bridgman, who affirmed

¹ "Inning" means the gathering in of corn; so that "inning places" would seem to be what we now call stack-yards.

that no part of the £200 had been paid by the said Earl, and very little or no interest for the same, and petitioners so far had received no benefit out of the said tithes towards satisfying the said debt, as the premises had been sequestered for the delinquencies of the said Earl. They therefore prayed that the said deed might be "referred" to be reported, and that petitioners might have allowance thereof for satisfaction of the said debt, interest, and charges. No date or order; but on

ff. 131-3 is a report by Mr. Reading, dated 13 August, 1650, based on an order of the 14th June preceding, upon the petition of the above; he reviewed the facts of the case, and mentioned that petitioners, upon a former petition of appeal to the Barons of the Exchequer, obtained an order referring the examination of the case to Mr. Recorder (order dated 10 May, 1649), who reported the said debt and a suit thereupon in the Court of Exchequer at Chester, the copies of the bill and answer therein being proved before him. He reported the said deed to have been produced before him, but the Barons made no order therein.

He also found from a certificate under the hand of Geoffrey Birchall, Agent for Sequestrations in the county of Lancaster, that the tithe corn of Dalton and Holland had been set in the year 1649 for £105 above all reprisals, saving nineteen marks paid to the minister of Holland; and it appeared by a note under the hands of petitioners that they had paid for the said debt, interest, and charges the sum of £307. 11s., whereof they prayed they might make proof to the Lancashire Commissioners. So it was left to judgment whether the petitioners might not enjoy the said tithes until satisfaction were made them of such moneys as they should prove before the Commissioners of Lancashire that they had *bond fide* paid for the said debt, &c., or receive otherwise satisfaction for the same.

ff. 137-142. Papers connected with the appeal to the Barons of the Exchequer, including the report.

fo. 135. Petition, 14 June, 1650, on which the case was referred to Mr. Reading.

fo. 113. Communication from the Cheshire Commissioners dated at Chester, 7 October, 1651, mentioning that they had taken the Earl of Derby's examination, a true copy whereof they enclosed, and that the examination had been taken in the presence of Thomas Croxton and Henry Bradshaw, Esqs., two of the Commissioners nominated for the trial of the said Earl, according to the order of the Council of State dated 27 September, 1651.

fo. 115. Interrogatories administered to James, Earl of Derby.

fo. 117. The examination taken at Chester, October 2nd, 1651.

fo. 119. Letter from Lancashire Commissioners dated at Preston, 7 October, signed Robt. Cunliffe and G. Pigot, mentioning that they had been required to examine Mr. Waynwright, one of the petitioners, and stating that they had done so, and enclosed copy.

fo. 121. Mr. Birchall's certificate.

fo. 123. Statement of petitioners' account.

ff. 125-128. Mr. Waynwright's examination taken at Ormskirk, 4 October, 1651.

(First Series, Vol. ci., No. 4,079, fols. 143, &c.)

fo. 146. Letter dated at Preston, 12 April, 1652, signed by Robert Cunliffe and G. Pigot, mentioning that by an order of the 28th January then last, made in the case of Thomas Wainwright and John Wickliffe, gentlemen, they were required to pay the debt of £200 mentioned in the said order, with interest and costs, out of the profits of the tithes of Holland and Dalton, sequestrated from the then late Earl of Derby. They had accordingly ordered the payment of the debt, and as for the interest and costs, they had taken the examination of Mr. Wainwright and Mr. Wickliffe, and as the costs, &c., amounted to a considerable sum, they thought it their duty to certify the same to their honours before it was approved by them (the Lancashire Commissioners), and desired further directions.

fo. 143. Depositions of petitioners as to the accuracy of the account to which they had subscribed their names.

fo. 144.

"Oct. 24, . . . day, 1651.

"An Accompt of y^e moneys paid by M^r Thomas Waynewright and M^r John Wickliffe in satisfaction of a debt of two hundred pounds wth Interest and charges, by them taken up upon Bonds of Edward Bridgman, Esq., dec^d, for the use of James, now Earl of Darby, when he was Lord Strange, for which the said Lord Strange did by passe by Deed to the Acc^{ts} [Accountants] y^e tithes of Holland and Dalton for their Counter Security, together wth a pticular of the charges expended by them to bee allowed as followeth, viz.:—

	£	s.	d.
Paid to M ^{rs} Bridgman in p ^t of satisfaccon,			
May 6, 1650 - - - - -	250	00	00
At the same tyme security given to her for -	43	13	06
Paid to M ^r Ro: Gregg at Chester to examine			
M ^r Bridgeman conc ⁿ inge the Bond - -	00	08	09
Spent by John Wyckliffe for himselfe & his			
horse to London to pet ⁿ y ^e pliam ^t & Com ^{tee}			
for grievances, being 4 weeks out - - -	04	00	00
Spent at suite to defend ag st M ^r Bridgman			
before wee paid y ^e debt the w ^{ch} wee gave			
to M ^r William Smyth, our Attorney - -	01	10	09
ffor a certificate, the w ^{ch} wee gave o ^r Com ^{rs} -	00	10	00
Spent by us about this business rydeing and			
sending messenger ^s at several tymes - -	01	01	07
Given to M ^r Russel for a cavet ag st John			
Alcocke, y ^t was Exe ^r to M ^r William			
Alcoke, who was in Bond w th us for this			
£200 - - - - -	00	03	04
Paid for Interest from y ^e 6 th of May, 1650, to			
y ^e [6] May, 1651, for £250, y ^e some of -	20	00	00
Paid more for interest from y ^e 6 May, 1651, to			
y ^e 1 October next following, for y ^e said			
£250 - - - - -	08	00	00

130 LANCASHIRE ROYALIST COMPOSITION PAPERS.

	£	s.	d.
Spent on ye Com ^{rs} of Cheshire when they came to examine y ^e Earle of Derby according to order - - - - -	01	05	00
Spent by us at y ^e same time - - - - -	00	07	10
Charges laid out at London sollicitinge y ^e Com ^{rs} there, as by Letter from Mr James Waynewright appeares - - - - -	12	00	00
For our charges exāiing at Preston, Oct. 4, 1651, and for the Com ^{rs} ' certificate and transcribinge this Accompt - - - - -	00	10	00
Sume total - - - - -	343	10	09

"This much oath is taken of
accordinge to order by Mr.
Thomas Waynewright."

Followed by a similar account by Mr. Wickliffe
of some petty disbursements amounting to
£10. 13s. - - - - - 10 13 00
£354 03 09

(Signed) "THOMAS T W WAINEWRIGHT,
his marke.
JOHN WYCKLYFE."

ff. 147-149. Deposition of E. Stockley, of Prescott, gentleman; and

ff. 186. Letter from Lancashire Commissioners.

(First Series, Vol. xvi., No. 1,290, fol. 893.)

fo. 893. Petition of Robert Massey, of Warrington, mercer, in which it is mentioned that there was then and had been since the wars on three tenements in Pilkington, the property of the then Earl of Derby, a quantity (thirty-eight) of timber, trees, and poles, some much decayed and of no use, as coals were being raised within a mile or two; others had been cut down and sold by the tenants. Prayed for an offer and other things.

At foot, several lines in stenographic characters, among them the name "Aspinwall."

(First Series, Vol. xix., No. 527, fols. 408, &c.)

fo. 408. "The Information of George Sayer, servant to Roberte Massey, of Warrington, in the County of Lancaster, mercer, taken upon Oath before Collonell Thomas Birch, Governour of Liuerpoole, and one of the Justices of Peace within the said County, the thirteenth day of August, 1650. [He]

"Informeth that upon the thirtieth day of June last this Informer was aboard a shipp called the Mary, of Leu^rpoole, wth certaine Merchantable goods to the value of three hundred twenty seaven pounds 6 shillings & three pence or thereabouts, as appeares [from] a note of pticulers hereunto annexed and attested unto accordingly to bee a true note by this Informer, w^{ch} sayd Goods his M^r Robte Massey had Intended for Carickfergus in Ireland, to sell there. But soe it was that the said thirtieth of June one Capt. Georg Bradshawe, wth a longe boate from the Iland of Man, manned with Sixteene Oares, wherein was 2 guns, one murderer,¹ & several musketts, did seize upon and take the said ship called the Mary wthin three or foure leagues of Ireland, wth all the passengers and goods wrytings and cloaths w^{ch} were in the same unto the s^d Island, Accountinge them to bee lawfull prize; and after seu^rall petitoⁿs p^rferred to the s^d Earle of Derby, not only for their Enlargm^{te}, beinge prisoned, but also for restitution of the s^d ship, goods, wrytyngs, and Cloaths taken as aforesaid, his Answer was that a fifteenth pte he did take for the King, a tenth pte for himself, & the Remainder for the taker; and this Informer further saith that when the goods in the said ship were Brought ashore, the Earle of Derby's Secretary, one George Browne, surveyed them, & after pcell of the s^d goods (vizt.) taffatyes, silkes, & most of the stufes of the s^d Robte Massey's were disposed of in the said Earle's own house, and made into seu^rall Garm^{ts} for the Command^r's Gentlewomen & others (in this

¹ A very destructive piece of ordnance, called also murdering piece.

Informer's presence); and Immediately after the Countesse went towards the King in Scotland, & thereupon command was given that not any who were in the s^d ship should be Inlarged till they heard of the safe Landinge of the sayd Countesse in Scotland, to prevent the Bringinge of Intelligence into England, & further sayth not.

(Signed) "GEORGE SAYER."

"Capt. apud Leu^rpoole, in Corn.

Lanc^r, die et Anno supra dic^o

coram me. "THO: BIRCH."

fo. 409. A note of the seu^rall sorts of goods [which] were taken aboard the Mary, of Leuerpoole, and the vallue of them are as followeth, beinge the goods of Rob^t Massey, of Warrington:—

	£	s.	d.
Taffaty, ribens, silke, & silk wares to			
y ^e value of - - - - -	43	11	2
Haberdash wares to the value of -	15	14	0
Blk. rich taffaty to the value of - -	28	14	0
Siluer & gold Buttons to the value of	06	08	0
Grocery wares to the value of - -	128	12	8
ffine thrids & ffustians to the value of	26	16	10
Stuffes to the value of - - - - -	056	02	9
Dying stuffes to the value of - - -	18	04	2
ffor Rundlets, Brr ^l ts, bags, and pack-			
cloths - - - - -	01	01	4
Moneys for the Inform ^r , p ^d for his			
appa ^t ell - - - - -	02	01	4
	<hr/>		
	327	6	3

"This is a true Information made by me, George Sayer, by oath, 13 August, 1650.

(Signed) "GEORGE SAYER."

"Capt. apud Leu^rpoole, in Corn.

Lanc^r, die et Anno supradic^o

coram me.

"THO: BIRCHE."

fo. 412. "These are to certify unto all whom it may concerne that Robert Massey, of Warrington, in the County of Lancaster, Mercer, haveing laden aboard the Mary, of Leu^rpoole, seu^rall Merchantable Goods to the value of £327. 6s. 3d. to be transported for Carreckfargus, in Irland, the said shipp, goods, & Passengers were taken and seized on by one Capt. George Bradshawe & others under the comand of the Earle of Derby, by a longe Boat, in their passage thither from the Isle of Man. And that the s^d Goods were then divyded & shared betwixt the said Earle and his complicys, as by y^e Informa^cõ of George Sayer, S^rvant unto the s^d Robte, taken upon oath before me at Leverpoole this day, more at large appeareth, Whereby the s^d Robte Massey, who hath eu^r beene & yet is reall to the service of the Parliamt of England, is dampnified to the value of £400 (as hee affirmeth). All wch at his Instance I thought good to certify, And in testimony thereof I have hereunto subscribed my hand & seale the 13 day of August, Año Dñi 1650.

(Signed) "THO. BIRCHE."

fo. 413. "The Information of William Stealfox, of High Leighe, in the County aforesayd, yeoman, taken at Dunham, the ixth day of September, 1650, before Sir George Booth, knight & Barronet, one of the Justices of the peace & Quorum within the said County of Chester.

"The aforesayd William Stealfox Informeth uppon his oath & saith that hee hath heard read the Informa^cõ of George Sayer, servant or Apprentice to M^r Robte Massey, of Warrington, in the co. of Lanc^r, Mercer, taken the 13th August last before Collonell Thomas Birch, Govenor of Leuerpoole, And that the same is true to this Inform^r's Best remembrance, who was p^rsent & in Company wth the s^d George Sayer wth others when they were taken p^rsoners & the Goods seised on as aforesayd By Capt. George Bradshaw, who Brought them wth the Shipp & goods to the Iland of Man, Where they were kept prisoners by James, Earle of Derby, for the time of ffive weekes or

thereabouts. And likewise saith that within the house or Castle where the said Earle liues & keepe his Court of guard, hee, this Informer, sawe about xxij Telors at worke making garments of the Stuffles, Silkes, &c., of the goods of the s^d Mr. Robte Massey (as this Informer beleuees); And that some of the s^d Earle's officers (vizt.), Mr. George Browne, Major Whalley, John Picke, & others, s^d that the fifteenth p^t of the s^d goods taken Belonged to the Kinge, a tenth p^t to the s^d Earle, & the Rest to the Capt. & takers, as Lawfull Prize cominge from and to the Rebels; And that the Lady Derby was much displeased that the s^d Captain George Bradshaw had not upon takeing of the s^d shipp and goods cast this Informant & all the rest of the passengers wth him ouer board into the sea as Rebels & Traytors, And y^t the s^d Bradshawe affirmed it Repented him he had not soe done; And further saith, that hee heard the aforesayd John Picke and others acknowledge that the goods & the shipp before men^coned were better worth then seven hundred pounds, & more sayth not, save onely that the said John Picke would have had them cast over Board as aforesayd, or hanged in the said Island.

"Coram me, (Signed) "WILL. STELFOX."
G. BOOTH."

fo. 416. "Theis are to certify whom it may concerne, That Robte Massey, of Warrington, Mercer, who now is & ever hath beene a Reall & trustie friend to the Parliamt of England & their party, And for his adhering unto them hath beene a great sufferer in his Estate, not onely formerly (as wee are credibly informed) by beinge a prisoner 25 weekes in the Earle of Derby's owne house att Lathom, And after (by Sr George Boothe's meanes) exchanged for a souldier of fortune, But alsoe hath sustained great losse & Damage by the Earle of Derby & his ptye by fire and otherwise to the value of Eleaven hundred Sixty one pounds tenn shillings & upwards, as by certificate doth appeare. And sithence the xxxth of June now last past, the Earle of Derby hath caused to be seized and taken a

great quantity of the said Robte Massey his goods then going for Irland, to the value of three hundred twenty seaven pounds and upwards, and wch sufferinge and damage amountinge to ffourteene hundred Eighty Eight pounds Sixteene shillings or thereabouts, for which he humbly desireth Reparaçõn, Whereof beinge credibly informed & doe verily beleeeve the same to bee true, as uppon sight of seur'all Schedules & certificates appeareth, In testimony whereof wee have hereunto subscribed or hands the xxvijth day of August, 1650.

"G. BOOTH.

H. BROOKE.

THO. MARBURY.

G. IRELAND.

S. HYDE.

ROBTE DUCKENFEILD.

P. NOLFORDE."

(First Series, Vol. xli., No. 1,290, fols. 820, &c.)

fo. 820. Petition from Robert Massey, of Warrington, which mentioned that the Parliament had been pleased to settle £1,000 on petitioner out of the Countess of Derby's estate; a moiety she was to pay, the other moiety was to be paid out of the monies she would pay into the Treasury. Prayed that an order might be issued on the Treasury to pay the £500. Ordered that £250 be paid out of the first moiety paid in and £250 out of the second (11 January, 1653[-4]).

fo. 846. A petition on the same subject, which explains that this petitioner had made discoveries of concealed estates, and among them were those of the Countess of Derby.

fo. 847. The order of Parliament to pay Robert Massey a fifth part of the discovered estate of the Countess of Derby.

(First Series, Vol. xxxvi., No. 1,131 [?], fols. 307, &c.)

fo. 307. Report by Mr. Peter Brereton (dated 3 September, 1650):—

“According to your Order of the 30th of August, 1650, upon the annexed petition on the behalfe of the provost and schollers of King’s Colledge in Cambridge, desiring that certaine Tithes & other things leased by their predecessours unto James, Lord Strange, for years, and sequestrated for his delinquency, may be discharged from sequestracon, the said lease being expired.

“I have examined, and find, That Samuell Collins, provost of King’s Colledge in Cambridge, and the schollers of the same, by Indenture dated the 16th of July, 1640, did demize & graunt unto James, Lord Strange, sonn & heire apparant of Willm., Earle Derby, All their Tithes of Corne and graine, of all their Townes, Hamletts, Territories, and feilds of Rainford, Windle, Parr, Sutton, Eccleston, the Towne of Prescott, Bold, Penketh, great Sonkey, Ceurdley [Cuerdley], Widnes, Ditton, & Crowton,¹ wth all the Barnes thereunto belonging, comonly called the Tithe Barnes, & all such pcells of Land as belong unto such severall portions of Tythe or the said Tythe Barnes, And the rent of all the Coppiehold Tennts, freehold Tennts, Tennts att will & sufferance of the Towne of Prescott belonging to the said provost and schollers, amounting to the yearly rent of 11^{li}, be it more or lesse, wth the fynes, Issues, & profitts of the said Tennts; and the profitts of all the faires, marketts, with all Leets, view of ffranckpledge, Court Baron, Perquisites of Courts, wards, Mariages, Releifes, Escheats, Heriots, fynes, Amerciam^{ts}, profitts, and comodities whatsoever to the said mannor or Towne of Prescott belonging (except the Tyth Corne & graine of Rainhill, wth the Barnes and the rent of the said Tythe & Barne of Rainhill aforesaid), To have & to hold the said premises (except before excepted) unto the said James, Lord

¹ Probably Cronton, in the parish of Prescot.

Strange, from the making thereof for the terme of Tenn yeares, wth divers reservaçons & coveñnts as in and by the said Counterpart of the said Indenture, produced under the hand and seal of the said James, Lord Strange (the sealing & delivery whereof is attested by Richard Johnson), appeares. And it is alleged by the said Petiçõn^{rs}, in their Petiçõn, that the Premisses are under Sequestraçon for the delinquency of the said James, Lord Strange, (at this time) Earl of Derby; Soe it is now submitted to Judgment whether the said Tythes & Premisses (the said lease for tenn yeares being expired the sixteenth of July last) ought not to be discharged, and the said provost and schollers be permitted to dispose of the same att their will and pleasure, the delinquency of the said James, Lord Strange, now Earl of Derby, notwithstanding.

(Signed) "PETER BRERETON."

"The Petition of King's Colledge in Cambridge, referred Aug. 30, 1650, delivered to me the same day.

"To the right ho^{ble} the Com^{rs} for Compounding wth Delinq^{ts}.

"The humble Peticon of the Provost & Schollers of King's Colledge in Cambridge,

"SHEWETH, That by their Indenture bearing date the xvj day of July, 1640, they did lease to James, Lord Strange, now Earle of Derby, the Tythes of Rainford, Windle, and of seu'all other Townes within the Parish of Prescott, in the County of Lanc^r, together with the rents of the coppiehold tenñts within the Towne of Prescott & elsewhere, the profitts of the faires & marketts, Towle and Stallage belonging to the mannor of Prescott, with seu'all other profitts & comodities in the said lease conteyned, To hold for the terme of tenn yeares from thence next ensuing, fully to be compleat and ended, yielding the yearly rent of Fiftie pounds six shillings and eight pence att Midsom^r & Christmas, by even porçons, 40 qrters of wheat, 50 qrters of Barley, 12 fatt oxen, att seu'all daies in the leas conteyned, as in and by the same leas relaçon

thereto being had may appeare, w^{ch} said Tythes & premisses stand sequestred for the delinquency of the said Earle.

"Now forasmuch as the said leas by effluxion of tyme is expired, the counterpart whereof is now ready to be p^{ro}duced to yo^r honors, attested under the register's hand of the Colledge, and that p^{re}sent profitts of the said leas [are] yo^r peticoner's chiefest mainteynance, and that except the said Tythes may not be p^{re}sently taken by them or their assigns, yo^r peticon^{rs} wilbe destitute of subsistence the next yeare.

"Therefore yo^r peticon^{rs} humbly pray yo^r honors wold vouchsafe (considering their p^{re}sent necessities) to discharge the sequestra^{ti}on of the said Tythes & p^{re}misses, whereby they may be the [better] ennabled to discharge their duties and attend their studies for the good of the Republique.

"And they shall pray, etc.,

(Signed) "BEN: WHITCHCOTT.

"Aug. 30, 1650,

Refer^d to Mr Brereton."

fo. 311. In the case of the Provost and schollers of King's Colledge in Cambridge, w^{ch} is referred to Mr. Brierton,

Richard Johnson, gen: maketh oath "Coram Com^{rs}," 30 August, who deposeth that the counterpart of the lease bearing date the 16th of August, 1640, made by the Provost and schollers of King's Colledge in Cambridge to Lord Strange, now Earle of Derby, now shewed to this deponent upon his ex^{hi}b^{iti}on, is the same counterpart w^{ch} this deponent did see sealed and delieured by the said Earle to the use of the said Colledge.

(Signed) "RI: JOHNSON."

"Jur., 30^o Aug., 1650."

"R. M."

fo. 312. Petition.

fo. 459. A memorandum to write sharp letters to parties who had been remiss in sending in duplicates (of the property seized).

"Countess Darby's goods in the Isle of Man. A tre to

Col: Duckenfield To send an acct of w^t goods are at Rushen castle, to know w^t became of them, w^t Invent: of them was taken, and whose handes he knowes any of them to be in."

(First Series, Vol. lvii., No. 1,825, fol. 355.)

fo. 355. Petition from George Sharples, of Freckleton, which disclosed that petitioner had married one of the daughters of Edward Veale, Esq., and was to have had in marriage portion after the death of the said Mr. Veale, for the term of ten years then next following, a messuage in Mithopp, and in lieu thereof he settled a jointure on his said wife of £30 a year; and it also disclosed that the said Mr. Veale was farmer of the premises for a term of three lives unto the Earl of Darby at a rental of £50 a year. Troubles increasing and (daily) great taxation imposed upon the said tenement, and the same having been sequestrated for the delinquency of the said Earl, the said Mr. Veale obtained an order from the Committee for an abatement of the fourth part of the said annual rent allowed by landlords in the same kind. Petitioner's father-in-law being then lately dead, petitioner was forced to pay daily several great taxations, and was also constrained to be at excessive charge in repairing, the houseing of the said tenement being in great decay.

Petitioner prayed for a continuance of the allowance, or such further order as to their honours should seem meet (11 February, 1650[-1]).

(First Series, Vol. lxx., No. 2,227, fols. 477, &c.)

fo. 477. Petition from Thomas Whittacres, of Bury, which shewed that the then Earl of Derby, by his deed dated long before the wars, for the considerations therein expressed, settled upon petitioner in trust for the use of one Mrs. Travers and her two sons a messuage with lands, to have and to hold during their joint lives, paying yearly 36s. 8d.; that petitioner enjoyed the premises till the year

1649; that the then Committee "secured" the rents for the said Earl's delinquency, but on production of the deed the sequestration was discharged; that the Commissioners of Lancashire, in December, 1650, again "secured" the rents, and refused to permit petitioner to enjoy the rents until he obtained an order from the Commissioners above. He therefore prayed that his title might be investigated, and that meantime he might receive the rents (on security being given) to enable him to relieve Peter Travers, one of the sons who had then recently returned sick from Ireland from the Parliament forces, his brother having been killed by the rebels there (19 February, 1650[-1]). Referred to Mr. Brereton.

ff. 479-481. Official certificates.

(First Series, Vol. xxxiv., No. 1,050, fols. 138, &c.)

to. 138. Petition from James Hyett, parson of Croston, which shewed that petitioner in the year 1638, for and in consideration of the sum of £50 in hand paid to him by James, Lord Strange, subsequently Earl of Derby, and also for the yearly rent of £13. 6s. 8d., assigned to the said Earl the tithes of Maudsley and Bispham, to have and to hold unto him the said Earl of Derby for the life of petitioner; the yearly rent had been paid to petitioner until, by an order from the Commissioners in London, the Lancashire Commissioners had detained it; he therefore prayed for an order directing the Lancashire Commissioners to pay the said rent as formerly. (No date; no order.)

fo. 140. Petition similar to above, but no date.

ff. 141-2. Affidavit of petitioner, sworn before the Commissioners in London (23 April, 1652).

fo. 143. Communication from Preston dated 20 February, 1650[-1], signed by Peter Holt, Robt. Cunliffe, and G. Pigot, referring to an order of the 17th October then last, touching the £13. 6s. 8d. per annum due out of the tithes of Mawdesley and Bispham to petitioner, and mentioning that they enclosed copies of certain examinations taken

before the late Committee. (9 May, 1652. Ordered that the Commissioners below do pay unto the petitioner his rent of the tithes with the arrears thereof from the time the same was stopped by them.)

fo. 145. Examinations taken at Preston, 26 November, 1646, before Colonel John Bradshaw, Colonel John Starkie, and Richard Haworth, Esq. Edward Stockley, of Preston, gentleman, sworn, said to the best of his remembrance about the year 1638, he having had directions from William Alcock, gentleman (since then deceased), to draw up a lease or conveyance of the tithes of Mawdesley and Bisp-ham from Mr. Ja. Hyett, rector of Croston, unto James, then Lord Strange, subsequently Earl of Derby, to be determined either upon the death of the said Mr. Hyett, or a certain number of years determinable upon his death, but whether he certainly did not remember, and that he should leave a blank for the consideration to be mentioned, which he accordingly did, and the said Earl of Derby, in examinant's presence, inserted the sum of £50, with which Mr. Hyett seemed to be much discontented, yet afterwards he sealed and delivered the same in examinant's presence, and the reason wherefore a blank was left for the consideration was for that the said Mr. Hyett referred the same to the said Earl to insert as he should think fit; and further said that afterwards he (examinant), by the appointment of the Earl of Derby, paid the said £50 to Mr. Hyett, which he, after some discontented speeches uttered by him as thinking the same not a valuable consideration, received, and that by the said lease a yearly rent of twenty marks was reserved to be paid to the said Mr. Hyett, and believed that the Earl of Derby for certain years afterwards enjoyed the said tithes according to the lease, or that the agents therein accounted to examinant for the Earl's use for the same, and, being asked whether Mr. Hyett did not at the same or any other time demand £200 consideration, said he did not remember any such demand having been made.

William Eccleston, one of the Agents for Sequestration for the Hundred of Leyland, sworn, said that in the month

of September, 1643, he and Thomas Jackson (another of the Agents for Leyland Hundred), by virtue of a commission to them directed from the Commissioners of Sequestrations in the County, entered into the tithe-barns of Mawdesley and Bispham, then in the possession of the Earl of Derby, and seized upon the same for the public use for the delinquency of the said Earl, and took the keys of the barn doors from the servants, and subsequently Captain Hugh Hindley, by virtue of some assignment (as he believed), disposed of the profits of the said tithes for that year for the use of the soldiers of his company; and said that the enemy entering the county the summer following, he and Thomas Jackson having been forced to fly the country for fear of the enemy, they, on their return about the Christmas following, found the said barns in the possession of Mr. Hyett, his servants or agents, who had ever since received and was then receiving the profits thereof. Sworn at Preston, 16 January, 1650[-1], before Robert Cunliffe and G. Pigot.

(First Series, Vol. xcix., No. 3,956, fols. 273, &c.)

fo. 276. Letter dated at Preston, 20 February, 1650[-1], signed by Peter Holt, Robt. Cunliffe, and G. Pigot, mentioning that upon an order of the 17th October then last, touching a rent of £13. 6s. 8d. per annum due out of the tithes of Mawdesley and Bispham, sequestered from the Earl of Derby, unto Mr. Hyett, parson of Croston, they had perused the examination of Edward Stockley, taken before the then late Committee, and had likewise taken the examination of William Eccleston, one of their agents (copies sent), whereby it appeared that about the year 1638 the said Mr. Hyett granted the tithes by lease under his hand to the Earl of Derby for a certain number of years determinable by the death of Mr. Hyett only, reserving a rent of £13. 6s. 8d. per annum to the said Mr. Hyett, which had accordingly been paid till the year then last past.

fo. 273. Examinations taken in this matter at Preston, 26 November, 1646, before Colonel John Bradshaw and others. Examination of Edward Stockley and

fo. 274. of William Eccleston (16 January, 1650[-1]).

(First Series, Vol. xxxviii., No. —, fols. 551, &c.)

fo. 551. "Gentlemen,

"In observance of yo^r order of the sixth of November last, upon the peti^con of the poore Almsmen of Latham, we haue examined the grounds of the Sequestra^con of the Lands and rents men^coned in y^e petition, and doe find y^t y^e same was sequestered as parte of the Earle of Darbye's Estate and not for any delinquency in the Almesmen, and we are likewise Informed by y^e Certificate of Diuers gent. and Neighbors of verry good repute and credit that the Rents aforesaid Amounting to £25 p ann: and the lands belonging to the Amshouse being about six or seaven Acres, have belonged to y^e said Alms-house time where the memory of man is not to the Contrary, but not haveing seene any grant made of the same to y^e said Almsmen, wee shall humbly Submitt the same to yo^r fffurther Consideracon, and Rest

"Yo^r humble Seruants,

"PETER HOLT,

"Ormskirke, 6^o martij, 1650."

G. PIGOT."

fo. 554. "The humble petition of y^e poore Almsmen of Latham, in the County of Lancaster,

"SHEWETH, That yo^r poore petitioners and their predecessors having eight score yeares and upwards bin maintained in y^e Almes house in Latham upon certain Rents arising out of the Lands belonging to the Earldom of Derby, w^{ch} rents they enjoyed by allowance from the former Com^{tee} of this County untill the appointment of these new Comm^{rs} by yo^r Hono^{rs}, who now say they have not power to allow us any thing, those lands whence o^r maintenance should arise being under sequestration without the order of this Hon^{ble} Court.

"Wherefore yo^r [petitioners] humbly beseech yo^r hono^{rs} to give order to the Com^{rs} in the Countrey to examine the Equity of o^r petition, and to return it to yo^r hono^{rs}, y^t then you may be pleased to do for us what in justice and charity you think fit, and they shall ever pray, etc.,

(Signed) "HENRY WHITACRE.

JOHN BRADSHAW.

THOMAS WOODS.

HUGH LEST.

HAMLET HOLME.

JOHN ASCROFT [or ALCROFT]."

6 November, 1650. A copy of the petition to be sent down to the Com^{rs} to ex. & certify the grounds.

At foot in another hand, "Some of these are above a 100 years ould."

fo. 555. Order referring case to Lancashire Commissioners.

fo. 561. Second petition.

(First Series, Vol. c., No. 4,046, fols. 505, &c.)

fo. 507. "Gentlemen,

"Whereas by yo^r Order of the 29th of May last, In the case of the poore Almsmen of Lathom, wee are required to examine upon oath how it may Appeare that they have enioyd the Rents by them claymed, and for how longe tyme and whoe hath the deed whereby the said Rents were settled upon them.

Wee, in observance thereof, have taken the Exāiācōns inclosed, whereby itt appeares y^t the Almshouse was first founded in Holland, two myles from Lathom, by the Lord Lovell, and afterwards transferd by the Earle of Darbye to Lathom, where itt hath beene since continued, the yearly Stypend beinge Twentie five pounds, to w^{ch} an Augmenta[~]cōn was granted by the said Earles of Darby, as in the exāiācōn of John Wyckliffe is Expressed, to Tenn Almsmen, one Minister called a Maister, and a woman servant, whereof there are only six psons att p^sent

remayninge, the names of whom are here likewise inclosed. But in regard (wee conceive) by the Order wee are not authorized to pay the said Stypend or to allowe the said Augmentaçon without further Order, wee humbly desire yo^r further direcçoⁿs therein, And likewise (if you shall soe thinke fitt) that the former number may bee made upp out of wounded and maymed Souldiers of this County, whereof wee have a great number that now want Reliefe. And w^{ch} wee leave to yo^r further consideraçon, And Rest

“Yo^r most humble Servants,

(Signed) “PETER HOLT.

ROBT. CUNLIFFE.

“Preston, 2^o July, 1651.”

G. PIGOT.”

fo. 505. Examinations taken at Ormeskirke, the 26th of June, 1651, before the Commissioners for Sequestrations in the County of Lancaster, in observance of an order from the Commissioners for Compounding, dated 29 May, 1651, upon the petition of the Poore Almsmen of Lathom, in y^e county of Lancaster.

John Wickliffe, of Westhead in Lathom, in the county of Lancaster, yeoman, sworn and examined, deposeth and saith, “That y^e Almesmen of Lathom have for the space of 30 years last past, to this exāiant’s remembrance, Received from y^e Bailiffe of Holland for the time being y^e yearly so^me of twentie five pounds for the Mainteñnce of them, beinge ten poore men, and a Minister called a ma^r, and a woman servant, which yearely Mainteñnce, as this exāiant hath heard & verily beleeveth it to be true, was given by the Lord Lovell, & y^e said Almesmen then lived in Holland.

But afterwards y^e Lordshipp of Holland cominge to be y^e Inheritance of Earles of Derby successively, some of them did remove the Almsmen and brought them into Lathom, and there built them an hospital, and did continue unto them the said so^me of £25, and did add unto y^e said £25 p ann., for augmentaçon of their meanes, Two Small Gardens & an Orchard & one close of ground conteninge about three acres, all adioyninge to y^e said

Hospitall in Lathom, And likewise three acres of meadow-inge in Hasker meadowe in Lathom, one cow grasse and one horse grasse yearely in Lathom Park, all which Augmentacons have beene yearly allowed to y^e said Almsmen for y^e space of 30 yeares last past, exceptinge half an acre of Ground w^{ch} hath beene added to their Mainteñnce about twelve yeares ago by y^e now Earle of Darby, but who hath the Deed whereby the allowance was granted to them this exāiant knoweth not.

(Signed) "JOHN WYCKLIFFE."

James Marshall, of Holland, "in ye County of Lancr, gentⁿ," sworn and examined, said "that his father was Bailiff within the Lordship of Holland, belonging to James, Lord Strange, for some years beginning in 1626, and until the time of his death in the year 1644, during which time witness knew that his father paid yearly to the Almsmen of Lathom the sum of £25, on the 24th of June and 24th of December, by equal portions, during the whole time he was Bailiff, and he had heard his father say, and believed it to be true, that the Hospital and the said yearly maintenance was founded by the Lord Lovell, and the said Lordship subsequently becoming the Inheritance of the Earles of Darby some of them removed the said Hospital and the Almsmen into Lathom, but where the Deed was whereby the same was granted witness knew not."

fo. 506. The names of those persons that were Almsmen then living (June 27th, 1651):—

Henry Whittacre, put in by William, Earl of Derby, thirty-five years then ago.

Thomas Woods, put in by the then James, Earl of Derby, thirteen years then ago.

John Ashurst, by James, Earl of Derby, twelve years then ago.

John Georgson, by the said Earl, eleven years then ago.

Hugh Scott,	{	by the old Committee of the County, three years then ago.
Hamles [? Hamlet] Holme,		

fo. 509. "Gentlemen,

"In observance of yo^r Order of the sixth of November last, upon the peti^cōn of the Poore Almsmen of Lathom, Wee have exāied the grounds of the Sequestra^cōn of the Lands and Rents men^cōned in the Peti^cōn, And doe fynd y^t the same was Sequestred as parte of the Earle of Derby's estate, and not for any delinquencies in the Almesmen. And wee are likewise Informed by the Certificate of Dives gent. and neighbours of verie good repute and credit, that the Rents aforesaid amounting to £25 p ann., and the Lands belonging to the Almshouse being about six or seven acres, have belonged to the said Almshouse tyme whereof the memorie of man is not to y^e contrarie; But not having seen any grant made of the same to the Almesmen, wee shall humblie Submitt the same to yo^r further considera^cōn, and Rest

"Yo^r humble Servants,

(Signed) "PETER HOLT.

G. PIGOT."

fo. 217. Report dated 13 May, 1651, by Mr. Brereton, based upon an order of the 22nd January, 1650[-1]. He had perused and examined the petition of George Cony, Esq., and William Garland, gentleman, touching a certain rent charge granted by William, Earl of Derby, and James, Lord Strange, and then formerly allowed by the Committee of Lords and Commons, and he found by indenture tripartite dated 11 August, 1637, between William, Earl of Derby, and James, Lord Strange, of the first part; Elizabeth, Lady Standly, the relict of Sir Robert Standley, Charles Standley, and James Standley, sons of the said Sir Robert, of the second part; and Sir Henry Crofts and Sir Theobald Gorges of the third part, reciting an award made by the then late King for the ending of certain suits and differences betwixt the said Earl, the said Elizabeth Standley, Charles Standley, and James Standley, the said Earl and James, Lord Strange, in performing of the said award, and for other considerations, covenanted by

one or more fines, before the end of two years from that date, to convey to Sir Henry Crofts and Sir Theobald Gorges and their heirs the manors of Latham, Burscough, and Childwell, and certain messuages, lands, and tenements in Latham, Burscough, and Childwell, in the county of Lancaster, and the capital messuage and lands thereunto belonging in the county of Chester, called Upton Hall, to several uses, and first to the intent that the said Lady Standley and her assignees during the minority of Charles, her eldest son, should receive a rent charge of £300 (part of a rent charge of £600 per annum) ordered by the said award issuing out of the premises, payable at the usual feasts, and if Charles Standley died before he accomplished the age of twenty-one years, then during the minority of James Standley, her younger son; and that the residue of the said £600 a year during the minority of Charles and James be paid, £200 a year thereof for the use of Charles and £100 for the use of James, and, if either died, the survivor to have the rent limited to him that died, the said sums during their minority to be employed for their education and maintenance, and for raising a stock for their better living afterwards. And after Charles and James accomplish their several ages of twenty-one years, then the Lady Stanley to have but £200 a year of the said £600 during her life, and when Charles shall come of full age then she is to have £250 a year until James shall have come to age, and Charles to have £250 a year to him and the heirs male of his body. And after James comes of age, he to have £150 rent during life. And if it happen that both the sons should die without issue male in the lifetime of the Lady Standley, then she to have £300 of the said £600 during her life. And after the said respective estates or any of them ended, the said rent of £600 a year and every part thereof, as any estate shall end, shall go to the said Charles and the heirs male of his body; in default to James and the heirs male of his body; and the same to be in discharge and satisfaction of any estate, claim, or demand which the said lady or her children have to or in the manor of

Ensham; the rectory of Ormeskirke, or any other lands which they or any of them claim against the said Earl or James, Lord Strange, which said several rents, part of the said £600, shall from time to time be respectively paid to the respective persons at the said four feasts, with a *nomine penæ* and a clause for distress, and the sums due by the *nomine penæ*.

And it was further agreed that the conuzees of the said fines and their heirs should stand seized of the said manors and premises charged with the said rents to the several uses expressed in the said indenture, provided that if the said Charles or James Standley, after their respective ages of twenty-one, refused, being required, to release all their right to certain rent charges of £400 and £200, and to certain lands mentioned in the indenture, then he so refusing to lose the benefit of the award made by the late King and also of this indenture. Nevertheless, the Lady Standley not to lose her interest, as by the said indenture appeared; the sealing and delivering whereof by William, Earl of Derby, and James, Lord Strange (then Earl of Derby), on or about the date thereof, was deposed to by Peter Winne, one of the witnesses.

And he found that William, Earl of Derby, and James, Lord Strange, on the 9th October, 1637, levied a fine of lands in Upton, co. Chester, and another on 21 August, 1637, of the manors and premises in the county of Lancaster, unto the said Sir Henry Crofts and Sir Theobald Gorges and their heirs.

And he found further that the said indenture and fines being reported by the then Lord President to the Committee of Lords and Commons, it was ordered by them the 24th of December, 1645, that the report be confirmed, and that it should be referred to the several Committees for the counties of Chester and Lancaster, where the lands lay, to allow the said yearly rent and the arrears thereof (deposed by the said Lady Standley to be £698), according to the rateable proportion of the lands in each county, or else to take the benefit of her deed, copies of which report and order were deposed to by Robert Carre.

fo. 219. And the said Peter Winne deposed that before

the time of the then late wars he paid the said rent of £600 a year, and Lewys Hughes deposed that by virtue of the said order of the Committee of the Lords and Commons he had received the said £600.

He found further that by an indenture dated 31 January, 1649[-50], made between Theophilus, Earl of Lincoln, of the one part, and the petitioners, George Cony and William Garland, of the other, reciting the said grant unto the said Elizabeth Standley of the said rent of £300 a year during the minority of Charles Standley, and if he died before his full age, then during the minority of James Standley, and after both their full ages, then £200 a year during her life; and also reciting that Theophilus, Earl of Lincoln, had married the said Lady Stanley, the said Earl, in consideration of the said marriage, and in performance of certain articles of agreement made at or before the marriage, and in consideration of 10s., did grant, bargain, and sell the said rents of £300 a year and £200 a year to George Cony and William Garland for forty years, if the said Earl and the said Lady Stanley should jointly so long live; the sealing and delivery of which indenture was deposed to by Alexander Westlake, one of the witnesses endorsed. And he found by the certificates of the clerks of Martin's-in-the-Field and Chelsey, deposed to by Lewis Hughes, that the said Charles Standley in January then last (1651) was twenty-three years of age, and James in September then last (1650) was twenty years of age.

And the said Elizabeth Standley, then Countess of Lincoln, deposed that there was an arrear then unpaid to her and her sons of the said rent of £1,368; and that neither she nor any person or persons to her knowledge had received the said sum or any part thereof for her use or the use of her said sons or either of them.

And the Commissioners for the County of Lancaster, in observance of an order of the 22nd January then last, in the petitioner's case, certified the said order of the Lords and Commons of December 24th, 1645; and that thereupon the Committee for the said county, finding that the

manors and lands out of which the said rent of £600 was to be issued would not extend to satisfy the same, ordered, on the 23rd September, 1646, that the Agent for Sequestration should account and pay unto the said lady or her agent all the profits of the said manors and lands remaining in his hands; and that an able man, by the appointment of the said lady, should be joined to their agent for the managing and improving the estate; and that she and her agents should receive the rents and profits till the said rents and arrears were satisfied; and that her agents had accordingly since received the same until, by an order from above, the Lancashire Commissioners again secured them.

As regards the lands in Cheshire chargeable with the said rent, it was affirmed that they were not above the value of £8 a year, and that nothing was ever received out of the same, inasmuch as, before the said indenture and fine, they had been demised to Sir Thomas Acton, a delinquent.

So he submitted to judgment whether the said rent or rents of £600 a year, with the arrears, ought not to be paid, or otherwise the trustees or agents of the said Countess and her sons be permitted to take the profits of the premises in Lancashire in some such way as they formerly had done until the said arrears were fully satisfied (13 May, 1651).

fo. 222. (22 January, 1650[-1]). Order referring case to Lancashire Commissioners.

fo. 223. Petition of George Cony and William Garland. (Copy; no date.)

fo. 226. Affidavit of Elizabeth, Countess of Lincoln, sworn before the Commissioners in London, 1 May, 1651. (Autograph signature, "ELIZA LYNOLNE.")

fo. 228. "Martini in Campis.

"Theis are to certifie whom it may Concerne that Charles Stanley, the sonne of Sr Rob^t Stanly, Knight, was Baptized in the Parish church above saide upon the 28th Day of January, 1628, as it doth appeare by the parish Register.

"Dated the 25th day of April, 1651.

(Signed) "WILL. WILLIAMS, *parish clerke*."

(At foot.) Affidavit of Lewis Hughes, gentleman, making oath that he copied the above out of the register. (Sworn 1 May, 1651, in London.)

fo. 229. "Mr James Stanley, son to Sr Robert Stanley, was baptized the 30 Sep^r, 1631, in the parish of Chelsey.

(Signed) "ROB. VAUGHAN, *parish Cleark*."

Similar affidavit by Mr. Hughes, sworn same day.

fo. 232. Affidavit of Alexander Westlake, gentleman. (Sworn 25 April, 1651, in London.)

fo. 233. Affidavit of Peter Winn, gentleman, and Lewis Hughes, gentleman, sworn 4 February, 1650[-1], in London, before W. Molins.

fo. 235. "Die Merc^r, 24^o Decembr, 1645.

"At the Committee of the Lords and Commons
for Sequestrations.

"In the case of the Ladie Stanley, upon the Report of Mr Bradshaw (to whom it was referred, a coppie whereof is heerunto annexed) and full debate of the matter, It is ordered that the said Report bee confirmed, and that it bee referred to the seuerall Comittees of the Counties of Cheshire & Lancashire, where the Landes charged with the yearlie rent demaunded by the said Ladie lyeth, to allowe her her said yearlie groweing rent and the Arreares thereof, It being deposed by the said Ladie to be £698, according to y^e rateable pporcōn of the Landes in each Countye, or else to pmitt her to take the benefitt of her deed for non-payment thereof.

"Vera copia Ex: per me,

"R. VAUGHAN."

"Robt. Carr, gent., sworne before the Com^{rs}
the sixth of febr, 1650[-1], deposeth that hee
exāied this Order, and it is a true Coppie.

"R. M."

"R. CARR."

"Vera copia Ex: per me,

"R. VAUGHAN, Reg^r."

"6^o Feby., 1650[-1]"

ff. 237-40. Report by Mr. Jo: Bradshaw dated 10^{br}, 1645, the facts of which are embodied in Mr. Brereton's report *supra*.

ff. 241-2. Communication dated at Preston, 9 April, 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigott, mentioning that in observance of an order of 22 January preceding, from the Commissioners above, touching a rent charge of £600 a year granted to Lady Stanley and her sons by William, then late Earl of Derby, and James, Lord Strange, they, the Committee, had inquired into the matter. It declares what steps had been taken by the Lancashire Committee and by the Commissioners of Lancashire subsequently, and documents are enclosed relating to the case.

fo. 243. "Preston, in Com. Lancr.

"Att a Gen^ll meetinge, 23^o Septembr, 1646.

"In pursuance of an Order from y^e Com^{tee} of Lords & Com^{ons} for seq^{cons}, dated 24^o Decembr, 1645, and of seur^{all} ord^{rs} thereupon made by this Com^{tee} in the case of Lady Stanley, conc^{rn}inge y^e paym^t of £600 p ann. and the arreares thereof unto the said Lady & her children out of the manno^{rs} of Lathom, Burscowe, and Childwall, and the Lands called Priorswood & Oxeheys in Dalton, in y^e pish of Wigan, & out of all the Messuages, Lande, Tenem^{ts}, & hereditam^{ts} of the Earle of Darby in the Townes, p^{ci}nc^{ts}, or pishes of Lathom, Burscough, Childwall, & Dalton, & since seq^d for the Earle of Derby his Delinquency, It is this day ordered that the Agents for Sequestra^{co}ns of the Mannors, Lands, & other the p^{rm}isses aforesaid, shall forthwth accompt & pay unto the Lady or her Agent, M^r W^m Garland, hee first leaueing his warr^t from the Lady for the receipt thereof wth the Clerke of this Com^{tee}, to be put upon the file, for the use of herselfe & children, all such moneys as have arisen out of that estate and now are in their hands for & towards the paym^t & satisfac^{co}n of the said yearly rent of £600 since the said 24 Decembr, and the Arreares thereof before y^t tyme, beinge Deposited unto by the said Lady to bee £698, as by

the said order appeareth; and it is further ordered that for the future an able man shall, by the appoyntm^t & nomination of the said Lady Stanley, bee joyned as an assistant to the now agents for Sequestraçõn for the better manageinge and improueing of that Estate, and that the yearly proffitts ariseinge out of the same shall from tyme to tyme, as the same shall growe due, be satisfied and paid unto the Lady Stanley, or to M^r W^m Garland, M^r George Pigot, or M^r Evan Wall, or to some one of them, or to such other pson or psons whom shee shall lawfully authorize to receive the same, by the said Agents of Seq^{cons}, until the said yearly rent and Arreares thereof bee fully satisfied, all Legal Leys and Taxaçõns imposed upon the same and other lawfull Charges whereunto the said Estate is liable beinge first Deducted.

(Signed)	"JOHN MOORE.	RIC: HOGHTON.
	JOHN STARKIE.	ALEX ^r RIGBY.
	RICH. HAWORTH.	THO: FFELL.
	EDW. RIGBIE.	J. FFLETEWOOD.
	N. RIGBY.	WILL. KNIPE.
		JOHN NOWELL."

"Intr. E. WALL.

"Vera Copia. Ex: E. WALL.

"This is a true copy of the
original remaining with
T. BAYLY."

ff. 245-6. Copy of Mr. Bradshaw's report.

fo. 246. Copy of order of confirmation of Mr. Bradshaw's report by the Committee of Lords and Commons.

(First Series, Vol. ci., No. 4,084, fol. 194.)

fo. 194. Letter dated at Preston, 6 August, 1651, signed by Robert Cunliffe and G. Pigot, mentioning that in observance of an order of the 12th February then last, made upon the petition of the above lady, administratrix of the goods of Sir Robert Stanley, knight, her late husband, then deceased, requiring them to certify why the estate in

the petition mentioned was sequestrated, they stated that in the beginning of the wars in that county the rents of eight several tenements in Alston, then and at the time of these proceedings occupied by some persons whose names are given, were leased before the wars by the Earl of Derby, and were sequestrated for his delinquency, and so continued; his lordship having no other lands that they knew of in that township, they conceived the above to be the lands in the said petition mentioned; they left the matter to the consideration of the Commissioners above.

(First Series, Vol. xl., No. 1,246, fols. 172, &c.)

fo. 172. Petition of George Cony, Esq., and William Garland, gentleman, which shewed that William, Earl of Darby, and James, Lord Strange, did, 13^o Car. [27 March, 1637—26 March, 1638], by several fines before the justices of Lancaster and Chester, convey a rent of £600 a year to Elizabeth, Countess of Lincoln, by the name of Elizabeth, Lady Stanley, and to her sons, Charles Stanley and James Stanley, Esqs., and to the heirs of their two bodies, as by the said fines and deed declaring the use appeared. That until the sequestration of the Earl of Derby's estate the said Countess and her children had enjoyed the said rent. That upon proof made of the said grant before the Committee of Lords and Commons for Sequestrations, the said rent was allowed to the Countess and her children, as by the report of the Lord President of State (to whom the same had been referred) appeared. That the Earl of Lincoln (who married Lady Stanley) had assigned the said rent to petitioners in trust for the Countess and her children.

That the said rent had been received since the order was made until then, when the Commissioners for the said counties had then recently stopped the payment. Petitioners desired that an order might issue directing payment of the said rent and arrears (22 January, 1651[-2]). "The Com^{rs} to certify forthwith what they know and copy

petition to go down referred to Mr. Brereton; he to report within a month."

fo. 166. "The substance of the motion for the Countess of Lincoln was this:—

"That whereas the Com^{rs} for compounding, by their order of the 15 May, 1651, had confirmed the report of George Cony, Esq., and Mr. Garland, gentleman, Trustees for the said Countess & her sons, and ordered y^t the £600 p ann., with y^e arreares thereof due since 24 December, 1649, be paid to y^e petiti^{rs} or their assignes; that notwithstanding (unknown to the said Trustees) y^e s^d Com^{rs}, by their Order of y^e 6th of Jany., 1652[-3], had aliened to Robert Stopford upon his claime certain lands in Lancr, pcell of the Manor of Dalton, called the Pryors Wood, which s^d Manor with the appteñnces did stand chargeable wth the s^d £600 p ann. by Deed bearing date ii of August, 1637, whereas the title of Stopford is by Deed dated y^e 3 July, 1641.

"Soe that y^e Countesses title being first in time, and all the Lands charged with the s^d rent of £600 per ann., & there apping to be by Mr Auditor Sherwyn's Report £1,241 at March, 1652, besides w^t hath since incurred, and the whole lands charged but to eight hundred ninety-four pounds p ann., soe y^t it will be at least 6 yeares (taxes considered) before y^e said Arreares can be payd; Therefore it was prayd that they would repeale their Order of y^e 6th of Jann last, & y^t y^e Trustees of y^e Countes according to Law might enioy y^e whole till all y^e arreares be paid.

(Signed) "R^I. GRAUES,
of Councell, etc."

Upon this motion the Commissioners appointed a day for both parties to be heard.

fo. 170. Petition from Elizabeth, Countess of Lincoln, administratrix of the goods and chattels of Sir Robert Stanley, knight, her late husband, deceased, which shewed that Elizabeth, then late Countess of Derby, wife of William, then late Earl of Derby, having power to make a will, did

(amongst other legacies given to other persons) by her last will, bearing date 19 February, 1626[-7], give to the said Robert Stanley, her son, a lease for years of lands in Alston, which she the said Countess of Derby or others in trust for her were possessed of, and which was then unexpired; that the said will had been concealed and not proved until then late; that Sir Robert Stanley died intestate, and letters of administration were granted to petitioner by the name of Elizabeth Stanley, wife and relict of the said Sir Robert. That the said lease had been sequestered as part of the estate of the Earl of Derby and for her delinquency.

Prayed that the sequestration might be discharged, whereby petitioner might the better be enabled to pay the debts of the said Sir Robert Stanley.

"12 Feby., 1650[-1]. A copy of y^e petiçōn to bee sent to y^e Com^{rs} to certify, etc., and on y^e returne thereof refer it to M^r Reading.

fo. 168. Second petition.

(First Series, Vol. lx., No. 1,942, fols. 289, &c.)

fo. 289. Petition from Edward Stockley, Esq., of Prescott, which disclosed that James, then late Earl of Derby, by indenture dated the 28th of June, 1639, for considerations therein expressed, granted and demised to petitioner all that messuage and tenement in Knowsley, in the county of Lancaster, called Holker House, for the term of three lives, under the ancient rent of 38s. 11d. Accordingly petitioner had enjoyed and received the rents and profits until then lately, when the Lancashire Commissioners seized and secured the same for the delinquency of James, then late Earl of Derby, deceased. Inasmuch as the said estate did not, on the 1st December, 1651, stand actually sequestered, petitioner prayed that according to the Act of General Pardon the premises might be discharged and petitioner permitted to enjoy the profits, or otherwise the Commissioners might certify under the General Order whether the estate stood actually sequestered upon the

first of December, 1651 (20 April, 1652). "An order as in course upon the General Order."

fo. 291. Petition, 9 July, 1651. Petitioner mentions in this (which is antecedent in date to the previous one) that he had leased the premises as stated above, to commence after the death of the then existing lives, and that by the death of a Mrs. Dobson, then late wife of Robert Dobson, gentleman, deceased (she being the last life), the premises had come to him, and in this petition he prayed for an examination of his title. The prayer was granted, and the matter referred to Mr. Brereton to report (9 July, 1651).

fo. 294. After briefly reviewing the case, Mr. Brereton submitted to judgment whether, admitting the said James, Lord Strange, then late Earl of Derby, had not power (according as is certified by the Commissioners for the County of Lancaster) to lease in reversion, the said lease be good or not against the Commonwealth, which claims by the delinquency of the said Earl committed after the said lease was made (23 February, 1651[-2]).

fo. 295. Order referring matter to Lancashire Commissioners (9 July, 1651).¹

fo. 297. Petition.

fo. 299. Affidavit of Robert Stopford, of Lathom, one of the witnesses to the deed.

fo. 301. Letter from Lancashire Commissioners, dated at Preston, 7th of October, 1651, mentioning what proceedings had been taken, and stating that they believed that the then Earl of Derby had only a life interest in the premises, and that he had no power to lease in reversion.

ff. 303-4. Examination taken at Preston, 3 October, 1651, of Henry Ashton, of Whiston, and John Parr, of Prescott, deposing as to the Court held at Knowsley, 13 February, 1649[-50], when it was presented, on the oaths of Henry Travers and others,² that Edward Stockley held

¹ On the back is a memorandum that some proof ought to be produced shewing what power the Earl had.

² The names are all given.

to him and his assigns, by virtue of an indenture, &c., at a rent of 38s. 11d. and services usual; that by the death of Ann Dobson the tenement had come to petitioner, and of right ought then to have been in his possession; also

fo. 304. of Robert Stopford, of Lathom, husbandman, a witness to the deed subscribed.

fo. 307. Verbatim copy of the presentment made at the Court holden for the manor of Knowsley, on the 13th February, 1649[-50].

(First Series, Vol. xcvi., No. 3,850, fols. 389, &c.)

fo. 389. Letter from Lancashire Commissioners, dated at Manchester, 7 May, 1652, signed by Edw. Aspinwall, G. Pigot, and Robt. Cunliffe, referring to an order of the 20th April then preceding, upon the petition of Edward Stockley, touching the seizure of a messuage and tenement in Knowsley called Holkar House, alleged to have been purchased by petitioner from James, Earl of Derby. It mentions that they were required to certify whether the premises were under sequestration on the first of December then last, with what they might find in their records touching the case, and they certified that having been informed by Edward Dobson, son of Robert Dobson, gentleman, then deceased, that his said father was in his lifetime possessed of the premises by a lease from the Earl of Derby for three lives, and that the last life being then dead and the term expired, the said Mr. Stockley, upon pretence of a new lease from the said Earl, had entered and possessed himself thereof, and they, conceiving that the said Mr. Stockley (the Earl's whole estate being under sequestration) ought not to have entered without their honours' approbation, they secured the same for the use of the Commonwealth, as by their order of the 3rd of June then last appeared; whereupon Mr. Stockley appealed to their honours, and by an order of the 29th July, 1651, they (the Lancashire Commissioners) were required to examine witnesses for proof of the deed mentioned in the petition

and other points, and no further proceedings had been taken.

fo. 391. Preston, 3rd June, 1651. Copy of an order letting Holkar House for one year to Henry Kenricke (the old tenant, who had held under Mrs. Dobson), and if Mr. Stockley's lease was not confirmed, then Kenwicke was to continue tenant at the same rent as other tenants who occupied similar holdings usually paid.

fo. 394. Preston, 7 October, 1651. Letter mentioning that in observance of an order from above dated 29 July, 1651, they had examined witnesses in proof of the deed, and enclosed copies of the examinations taken (signed by Robt. Cunliffe and G. Pigot).

fo. 395. Edward Ashton, of Whiston, and John Parr, of Prescott, sworn, deposed that at the Court holden for the manor of Knowsley, 13 February, 1649[-50], it was presented upon oath by the jurors hereafter named, namely, John Alcock, of Prescot, gentleman, Henry Travers, Roger Gorsuch, Anthonie Tildsley, Richard Travers, Raph Lea, Gilbert Holme and Henry Webster, sen., Hen. Webster, jun., Edward Woods and Henry Carter, of Roby, Robert Hitchen, of Roby, William Carter, of Roby, Thomas Webster, of Roby, Richard Carter, of Childwall, William Carter, of Childwall, and Robert Pye, of Eccleston, in these words:—

"Itm. The Jury aforesaid doe say & p^rsent that Edward Stockley, of Prescot, holds to him and his Assignes, by virtue of one Indenture of Lease dated the 25 day of June, in y^e xv yeare of the raigne of our late Souveraigne lord Kinge Charles ouer Eng^l, &c. [1639], All that messuage & tenem^t with the 'ppurtenāncs in Knowsley aforesaid called Helcar House, and all lands & hereditaments thereunto belonginge, for tearme of fourescore and nineteene yeares from the date of the said Indenture of lease,

"If Andrew Broome, gent., Henry Ashton, of Whiston, & Jane Stockley, daughter of the said Edward Stockley, or any of them, so long live, under the rent of 30^s xi^d and services usual, as by the said Indenture of lease, granted

by the Rt. Hon. the Earl of Derby then Lord Strange and made as aforesaid, appeared, which tenement was heretofore in the occupation of Anne Dobson, widow, for her life, who is now dead. So that the same is now come and ought to be of right in the possession of the said Edward Stockley by virtue of the Indenture of Lease before recited, who oweth suit of Court for the same.

(Signed) "HEN. ASHTON. JO. PARR."

fo. 396. Affidavit of Robert Stopfort, of Lathom, witness to the indenture.

(First Series, Vol. xix., No. 527, fols. 667, &c.)

fo. 667. Petition from Edward Dobson, of Chester City, gentleman, by which it appeared that about a year then ago petitioner informed the Commissioners of Sequestrations for Lancashire of a tenement called Helker House in Knowsley being fallen out of lease, which was sequestered for the delinquency of the then late Earl of Derby, and gave them such satisfaction therein that thereupon they made the order annexed; that notwithstanding the same and that the said Earl had no power to make any lease in reversion of Knowsley lands, he being tenant in tail only, as petitioner had been by counsel informed, which also appeared by his particular, upon which he (the late Earl of Derby) had compounded, and also by the report remaining before the Commissioners concerning the Countess of Derby, yet Edward Stockley, gentleman, late servant to the said Earl, pretended he took a lease in reversion of the said premises twelve years preceding over petitioner's head, though theretofore he denied the same, saying the premises was petitioner's right, and in some measure by one Stoppord, a foot boy, and by the presentment at Knowsley whereof he was then steward, attempted to prove the said lease; that petitioner not (nor any for him) being heard therein, he obtained an order *ex parte* for the allowance of his lease. Inasmuch as petitioner had no notice of the proceedings before their honours, and having then lately

discovered several witnesses to examine on the part of the Commonwealth to prove that the said lease was made three years then only ago and then long ante-dated, and much more on the behalf of the State, he prayed liberty to examine the said witnesses, and that the order might be "dissolved" until the full hearing of the cause, that it may be referred to report, that petitioner might retain possession, and that the rent in the tenant's hands (who had retained it since the death of petitioner's mother), being then two and a half years, might be paid in to their honours to be disposed of according to equity (11 August, 1652). Petition granted so far as proving the deed to be ante-dated, petitioner giving timely notice to the other parties.

fo. 670. "Preston, Com. Lancr.

"By the Com^{rs} for Sequestra^{co}ns,

"3rd day of June, 1651.

"Whereas, upon the petition of Edward Dobsson, sonne of Robert Dobsson, gent., alleadgeing that his father being in his life time poss^d of a Messuage and Tenem^t in Knowsley called Helcar house, by lease under the Earl for a term of three lives, which lease, by the decease of M^{rs} Dobsson, late wife of the said Robert Dobsson, who died about two yeares since, is determyned, and the s^d Edward Dobsson claymeing an interest in the same as ancient tenant, Edward Stockeley, of Prescott, gent., p^rtending a lease from the Earle of Derby, hath entered y^e same, and hath farmed the same to Henry Kenwricke, of Knowseley, who form^rly held the same by lease from the s^d M^{rs} Dobsson during her life for this p^rsent yeare att the cleare yearly rent of eighteen pounds, as hee the s^d Kenwricke alleadgeth, the s^d Kenwricke beinge in arreare for the rent due for the s^d tenement in the yeare last past; And for y^t wee conceiue y^t M^r Stockeley, by force of the s^d Lease (if proved), ought not to have entred before the s^d lease be approved on by the Com^{rs} for Compounding. And the s^d Edward Dobsson being ancient tenant to the s^d tenem^t, It is ord^red that the s^d Henry Kenwricke bee Contynued in the quiett poss^{on} of the s^d messuage & tenem^t, giueing

security to the Agent for that Division to be responsible for the cleare rent of £18 for the yeare, and likewise for the sume of £18 due in the year 1650, as the same shall bee hereafter ord^{ed} by the Com^{rs} for Compounding; And if the lease p^{re}tended to bee graunted by the Earle of Derby to M^r Stockeley as afores^d shall not bee approved on by the Com^{rs} for Compounding, then the s^d Edward Dobson is to bee Admitted Tenant, And shall pay such yearely Rate as other tenants of the like nature doe usually pay, And shall have an allowance of the moyty of the rent soe to be payd by Kenwricke as afores^d till further Ord^{rs}.

(Signed) "PETER HOLT.

ROBT CUNLIFFE.

G. PIGOTT."

fo. 671. 2 June, 1652. Communication signed by Jo. Leech, directed to the Lancashire Commissioners, advising them that Stockley had proved his case, that his lease was good, and that he was to have possession, the sequestration first being discharged.

(First Series, Vol. viii., No. 197, fol. 749.)

"A Duplycate."

"xix October, 1652.

"By y^e Trustees for sale of fee farmes.

"Whereas a Contract was made wth us upon the xvth day of Aprill, 1651, on the behalf of Collonell Thomas Birch, and since assigned to the p^{so}ns herafter nōiated ffor

The fee farme of the Mannor of West

Darby, in the County of Lancaster,

p ann. - - - - - cxlv^l vj^s vij^d

and the whole Purchase money due upon the s^d Contract is paid into the Thrēary, As may appeare by Certificate under the hand of M^r John Marsh, Casheire to the Thrēas, bearing date the xxvjth of September, 1651, etc.

"It is this day Ordered That y^e severall and respective Own^{rs}, Occupiers, and ten^{nts} of the p^{re}misses Doe paie

thafores^d rent wch did growe due and paiable upon the xxixth day of September, 1651, unto the s^d Colonell Birch, and unto Collonell Thomas ffell, Symon Thelwall, Thomas Birch, Jun^r, John Sparrowe, Jun^r, Esqs., and William May, and their assignee or assignes, and soe frō thenceforward to contynue the paiem^t thereof unto the s^d Collonell Birch, Collonell ffell, Symon Thelwall, Thomas Birch, John Sparrowe, and William May, their assignee or assignes, at such usual dayes and tymes as the same shall frō tyme to tyme growe due and paiable, and not to the former Receever or Collect^r of the p^rmisses, And a Coppie of this Order left wth y^e s^d Own^{rs}, Occupiers, and tenⁿts of the p^rmisses shalbee their sufficient warrant and dischargd for paieing the s^d rent unto the s^d Collonell Birch and other the p^{rs}ons before nōiatted, their assignee or Assignes, accordingly; And further ordered That M^r A^r Lannce discharge y^e s^d p^rmisses in his Rentalls and Records frō paieing the s^d rents unto the State, wch did growe due and paieable upon the xxixth of September, 1651, and soe frō thenceforward for y^e tyme to come; And that hee give notice hereof unto y^e Receiver, Bayliffe, or Collect^r of y^e p^rmisses that they demand not nor distrayne for the s^d rent wch did growe due and paieable upon the s^d xxix of September, 1652, or wch shall frō thenceforward growe due and paiable; But that they leave the same bee received by the s^d Colonell Birch and other the p^{rs}ons before nōiatted, their assignee or assignes, accordinge to this order; and the s^d Auditor is hereby to take notice That y^e Stypend of x^{li} vi^s viij^d p ann. paieable to the Incumbent of West Darby is Reprized out of thafores^d contract, and the s^d Rent to bee charged wth y^e paiem^t thereof accordingly, And all other y^e Revenues of y^e Comonwealth to bee discharged of y^e same.

(Signed) "Ri: SYDENHAM.

THO. AYRES.

J. WHITE.

R. HARISON.

JOHN HUNT."

"Humphry Kelsall, of the Citty of Westminster, gent., maketh oath That he received the order within and above mentioned from Mr Richard Stephens, one of y^e Clarkes belonging to y^e Trustees at Worcester House, and believes that y^e Trustees' names above written are their proper hand writings, and knows that the whole purchase money menconed in the said order is paid in to their Treasury.

(Signed) "HUMFREY KELSALL."

"Sworne before the Com^{rs},

"4th January, 1652[-3].

"R. M."

(First Series, Vol. xcvi., No. 3,858, fol. 443.)

fo. 443. Letter from Preston, dated October 20th, 1652, signed by E. Aspinwall, John Sawrey, and Ro. Massey, referring to a communication from the Commissioners above dated 11 August preceding, which they received the day theirs was dated, touching the payment of nineteen marks a year due to petitioner out of the tithes of Holland and Dalton. They certified that the said nineteen marks was never sequestered, only being payable out of the tithes aforesaid, which had been sequestered in the year 1643 for the delinquency of the then late Earl of Derby, the payment whereof was stayed in obedience to an order from the Commissioners above that all annuities and rent charges out of any sequestered estate were to be stayed till the same had been approved of by themselves.

(First Series, Vol. lviii., No. 1,918, fols. 626, &c.)

fo. 626. Petition from Robert Stopford, of Latham, which disclosed that he had previously petitioned, setting forth that he had, by indenture, leased from James, late Earl of Derby, dated long before the wars, certain lands for ninety-nine years, determinable on three lives, and they had ordered, 13 August, 1651, that the Lancashire Commissioners should examine his petition, and if they found

that the manors mentioned in the Countess of Lincoln's petition besides his leased lands were enough to pay the rent charge of £600 a year, then they should permit petitioner to enjoy Pryor's Wood according to his lease, and that the said Commissioners should make a return of the yearly value, which they had done; and he now prayed that the said report might be read, and that they would grant him Pryor's Wood according to his lease, with the arrears. Referred to Mr. Sherwyne to state (22 October, 1652).

ff. 627-8. Report by Mr. Peter Brereton, dated 21 March, 1650[-1], upon the original petition. On same folio, order of reference to him.

fo. 629. Original petition.

ff. 630-31. Affidavits of Robert Stopford, of Lathom (petitioner), and Ralph Brideoake.

(First Series, Vol. ci., No. 4,085, fols. 195, &c.)

ff. 195-6. Letter dated at Preston, 17 November, 1652, signed by E. Aspinwall, John Sawrey, and Robert Cunliffe, mentioning that by an order of the 13th August, 1651, in the case of a petition from Robert Stopford, expressing that whereas the manor of Lathom, Childwall, and Dalton, sequestrated from the Earl of Derby, stood charged with £600 a year to the Countess of Lincoln and her sons and the heirs male of the bodies of the said sons, and subsequently the said Earl of Derby, in consideration of the sum of £120, demised certain lands, part of Dalton aforesaid, called Prior's Wood, to the said Robert Stopford for ninety-nine years, determinable upon three lives, which demise had been allowed by their honours the Commissioners above, they were required, if they found the said manor (besides the land called Prior's Wood) to be of such yearly value as would satisfy what was due to the Countess, then to permit petitioner to enjoy the lands according to his lease.

And for the better satisfaction of the Commissioners

above, they were likewise ordered to send a particular of the then yearly value of the lands called Prior's Wood and of the rest of the said lands, as also what the manor of Childwall would be worth after the then next coming Michaelmas. In observance thereof they certified that they being formerly, by the order of the 15th May, 1651, in the case of George Cony, Esq., and William Garland, gentleman, required to pay the said rent charge of £600 a year with the arrears due subsequent to the 24th September, 1649, or to permit them or their assigns to receive the profits thereof, according to the deed mentioned in Mr. Brereton's report annexed to the said order, and they finding by the said report that the Countess of Lincoln had deposed that there was then arrears and unpaid of the said rent charge the sum of £1,368 or thereabouts, the profits of the premises having been received by her agents by order from the then former Committee of the County of Lancaster, grounded upon an order from the Committee of Lords and Commons dated 24 December, 1645, from the time aforesaid till the then present, they conceived it the best course to let the said Mr. Cony and Mr. Garland receive the profits as formerly, giving an account when they should be required, and they appointing Mr. Peter Ambrose to act as their agent in managing that estate; they, upon receipt of the last order from their honours, issued several orders requiring the account touching the profits of the said estate, and what the same was yearly worth, and how much of the said rent charge was unsatisfied, to which after some delays we received his of the 20th March (a copy enclosed), but that not being satisfactory, they again required a particular account from him upon oath, whereunto he returned them another account in gross by his of 27 April, 1652, copy enclosed, but they still expecting an exact account from him during all the time he managed the said estate, they again pressed him for a more particular account, which after some time (the account covering sixty-five sheets of paper) they received, and which, as it was too large to go by post, they proposed with all

convenience to send. They further mentioned the rents of the estates involved for the then current year.

ff. 197-8. Letters from Peter Ambrose on the subject of the account and a statement of cash which he had received year by year from 24 December, 1645, to 25 March, then instant (1651), shewing a total of £4,598; also the totals of his expenditure and cash remittances.

fo. 199.

"April 27, 1652.

"Gent.,

"In observance of your Order of the 25 March, 1652, in the case of Robert Stopford, w^{ch} came to my hands by him the 3rd of Aprill instant, before w^{ch} tyme, viz., the 27th of March last, the Lord was pleased to breake in upon or place wth the plague of Pestilence, w^{ch} I conceiue would not have beene agreeable to Christian wisdom to have p^rsented you wth an Accompt according to the said Order, If it had beene ready by that tyme, but ond^rstanding of a necessity thereof, and being in hope it is w^out danger, have sent my man wth the same to yo^u, soe fully as I hope yo^u will bee pleased to accepte from mee. Referringe myself to that C^rtificate und^r my hand dated the 20th of March, 1651 [-2], form^rly sent you touching the money paied to the Countice of Lincoln and her sonn and the Arrers thereof yet unpaied, All w^{ch} I humbly p^rsent to yo^u, and Remaine,

"Y^{ors} to serve yo^u,

(Signed) "PETER AMBROSE."

This is followed by a statement shewing to whom the lands, &c., were let and the amounts, giving the names of the tenants.

fo. 201. Examinations taken at Preston, 24 March, 1651 [-2], of Richard Prescott, of Dalton, yeoman, and of Edmund Parr, of Lathom, two of the tenants.

fo. 203. "Preston, in Com. Lanc.

"At a generall meetinge, 23 Sep., 1646."

Long letter from the Committee then acting as sequestrators in reference to the Countess of Lincoln's £600 a year and the arrears, directing the payment thereof by

their agents to her ladyship's agent, Mr. William Garland (he first leaving his warrant from the lady for his receipt thereof with the Clerk of the Committee, the same to be put upon the file). Signed by

JOHN MOORE,	ALEX. RIGBY,
JOHN STARKIE,	THO. FFELL,
RICH. HAWORTH,	H. FLETEWOOD,
EDW. RIGBIE,	WILL. KNIPE,
N. RIGBY,	JOHN NOWELL."

ff. 205-7. Extract from a report made by Jo: Bradshawe, referring to the indenture tripartite dated 11 August, 13^o Caroli [1637], between William, Earl of Derby, Sir James Stanley, Lord Strange, of the first part, and Elizabeth, Lady Stanley, widow, late wife of Robert Stanley, Charles Stanley, Esq., and James Stanley, Esq., sons of the said Sir Robert Stanley, of the second part, and Sir Henry Croft and Sir Theobald Georges, knights, of the third part, reciting therein an award made by His Majesty for the ending suits and differences between the said Earl, the said Lady Elizabeth Stanley, Charles Stanley, and James Stanley. The report deals with the sum settled upon her for certain uses, and the property out of which it was to issue, and other matters.

fo. 208. Copy of order passed at the Committee of Lords and Commons on 24 December, 1645, confirming Mr. Bradshaw's report.

fo. 209. Letter from Preston, dated 9 April, 1651, signed by Peter Holt, Robt. Cunliffe, and G. Pigot, mentioning the steps which had been taken by them subsequent to the confirmation of Mr. Bradshaw's report and issue of the order by the Committee of Lords and Commons, and mentioning that they had, in obedience to instructions (general), "secured" this rent charge among others, and that they then were calling upon the Countess or her agents to account for the profits.

fo. 212. Letter dated at Preston, 5 June, 1651, on the same subject.

(First Series, Vol. lviii., No. 1,918, fols. 603, &c.)

fo. 603. "According to yr Order of the 22nd Dec., 1652 (a Coppie whereof is hereunto annexed), in the case of Robert Stopford, I have examined the Certificates from the Commissioners for Sequestrations in the Countie of Lancaster and the Transcript of Mr. Ambrose his Accompte by them transmitted up, which are also hereunto annexed, The substance of which as followeth:

"The Com^{rs} for Lanc^r, by their tre of the 17th of November last, Certifie, That they being, by yo^r Order of the 16th of May, 1651, in the case of Geo: Cony, Esq., and William Garland, Gent., required to pay a Rent charge of £100 p ann. charged upon the manor of Latham, Childwall, & Dalton, Sequestered from the Earle of Derby, payable to the Countesse of Lincoln and her sonnes, with the arreares from the 24th of December, 1649, or to permitt them or their assignes to receyve the proffitts of the premisses, & finding that the Countess had deposed that theire was then in arreare the sum of £1,368 or thereabouts, the proffitts of the premises having beene receyued by her Agents from the 24th of December, 1645, they conceived it the best course to suffer them to receyue them as formerly giueing account as they should be required. That Mr. Peter Ambrose being the said Mr. Cony and Mr. Garland's Agent in managing that Estate, The said Com^{rs} had required of him an Account touching the proffitts and value thereof, and also how much of the said Rent Charge was unsatisfyed, which, haveing receyued, they transmitted them with their said tre, The Coppies whereof are as aforesaid hereunto annexed.

"By those Accompts of M^r Ambrose, It is certified that there was due upon the said Annutie, viz^t:—

Upon the 24 th of December, 1645	698	00	00	} £ s. d.
ffor 6 yeares and half, ending				
March 25, 1652 - - - -	3,900	00	00	} 4,598 00 00
Paid by the said M ^r Ambrose in the year				
1646, 1647, 1648, 1649, 1650, and 1651	-	3,357	10 00	whereof

So there was in arreare the 25th March, 1652, £ s. d.
according to that Accompte - - - - - 1,241 00 00

“The yearly value of the said Estate, as the same is now lett, appeareth by the said Accompt to be as followeth:—

The Manor of Lathom & Bur-					
scough, besides Prior's Wood					
& the Oxeheyes in Dalton,					
p ann. - - - - -	676	00	00	}	£ s. d. .720 00 00
Prior's Wood & the Oxeheyes,					
p ann. - - - - -	44	00	00		
The Desmesnes of Childwall,					
lately come out of lease - -	181	00	08	}	185 12 00
Rents in Childwall - - - -	4	11	04		
					<hr/>
					905 12 00

“The Accompt of Mr Ambrose as to his Receipts and paym^{ts} and the State of the Countesse of Lincolne's Annuitie I can looke upon as noe other then an estimate, and Doe therefore accordingly represent it, for this reason in pticular (amongst others), That hee takes it for graunted that the said Annuitie is to beare noe taxes, and accordingly hath Accompted charging them wholly upon the Commonwealth.

“As to the value of the Lands, it appeares that over and above Prior's wood, which the petitioner claims, It amounts to £850 p ann.

“Soe that it is Submitted to considera^con whether or noe the pretended Arreare of the Annuitye payable to the Countesse of Lincolne shall be admitted as a Charge upon the Commonwealth untill it doth more perticularly appeare; And whether the pet^r may not (notwithstanding that) enjoy the land to which he laies clayme.

“Dec^r 29, 1652,

(Signed) “R. SHERWYN, Aud^r.”

fo. 605. Order referring this case to the consideration of Mr. Sherwyn.

fo. 607. Petition, which disclosed that in some former

proceedings he had fully set forth that James, Earl of Derby, had, in consideration of £120, demised to him for a term of ninety-nine years, determinable on three lives, certain lands, and the result of that enquiry was an order that if the profits of the manors, &c., dealt with in Mr. Sherwyn's report exceeded the Countess of Lincoln's annuity, then petitioner was to enjoy Prior's Wood. He then prayed for an account, which was the one above; he now prayed to be permitted to enjoy the lands called Pryor's Wood (22 December, 1652) (copy).

ff. 611-13. Communication from the Lancashire Commissioners, dated at Preston, 17 November, 1652, signed by E. Aspinwall, Jo: Sawrey, Robert Cunliffe, in which they, after referring to the case as explained above, stated that after several orders and considerable delay they had received an account of the issues, &c., of the estate, but, not being satisfactory, they demanded a second, which had been followed by a third, and they were then expecting a fourth, which would exhibit an exact account of his receipts and disbursements during the whole time he had managed the business. They then referred to the yearly values of the estate.

ff. 614-15. Letter from Mr. Peter Ambrose (20 March, 1651[-2]).

fo. 615. Certificate as to the arrears due on the rent charge of £600 a year, signed by T. Bayly.

ff. 616-19. Statement of the account by Mr. Peter Ambrose.

ff. 620-21. Affidavits of Richard Prescott, of Dalton, yeoman, and Edmund Parr, of Lathom, yeoman, farmers of portions of the estate.

(First Series, Vol. viii., No. 170, fol. 518.)

fo. 518. Petition of William Bell, minister of Elswick, in the co. of Lancaster,

"SHEWETH, That yo^r pettion^r, together wth severall other ministers, by ord^r from the Comittee for plundered

ministers, were to receive severall augmenta^{co}ns out of improprie Rectory of Ormeskirke, Sequestred for the delinquency of James, late Earl of Darby; And after his death yo^r hono^{rs} adjudged the said Rectory to fall wthin the Countesse's dower, & thereupon ordered, the 17 June, 1652, that the said Countesse should receive the Rents, issues, and p^{ff}itts upon security, which shee accordingly did, and since, shee beinge adjudged a delinq^t & her dower ordered to be sequestred, yet the Com^{rs} of Lancaster alledge they have not any security for the p^{ff}itts of her Joynture for the year 1652, and therefore can not collect the same, whereby yo^r pettione^r & other Ministers are likely to loose their Augmentations for y^t whole yeare.

Yo^r pettione^r therefore humbly praieth y^t hee may receive his augmenta^{co}n for the year, as the same was Deteyned & kept by the Countesse, or that yo^r pettione^r might have an ord^r to receive the same from the said Countesse or her Security.

"And yo^r pettione^r will praye,

(Signed) "W^M BELL."

(First Series, Vol. lxxix., No. 2,451, fols. 76, &c.)

fo. 76. To the Commissioners for Compounding at Haberdashers' Hall. Petition from Major John Wigan and Captain Jeffery Elatson, shewing that petitioners having then formerly contracted with the trustees at Drury House for the reversion in the college at Manchester, parcel of the estate of the then late Earl of Derby, and part of the jointure of the Countess Dowager, whose estate had been sequestered, and as the "farming" of the said house would be exceedingly prejudicial to petitioners, they prayed that an order might forthwith be granted for the farming of the said house to themselves (6 April, 1653). "The Commissioners to certify the value and who was in possession."

fo. 77. Second petition, 24 May, same year. Lease granted to petitioners.

fo. 79. Communication dated at Holland, 5 May, 1653,

signed by E. Aspinwall and Ro. Massey, Commissioners, annexing the following survey of the college:—

“One large building called the Colledge in Manchester, consisting of many Rooms, with two Barnes, one gate house very much decayed, one pcell of ground formerly an Orchard, and one garden now in the poßion of Joseph Werden, gent., who pays for the same to the use of the Commonwealth Ten pounds yearly. There is likewise one other roome in the said Colledge reserued and now made use of for publique meetings of Christian Conscientious people. All which wee concieue to bee worth to bee lett for Seaven yeares the cleare yearly rent of Ten pounds.

(Signed) “E. ASPINWALL.
RO. MASSEY.”

(First Series, Vol. xcix., No. 3,958, fol. 293.)

fo. 293. Letter from Major John Wigan and Captain Jeffrey Eccleston, dated at Holland, 5 May, 1653, signed by E. Aspinwall and Ro: Massey, mentioning that by an order of the 6th April then last, made on the petition of the above, desiring that they might be admitted tenants to a house in Manchester called the college, part of the jointure of the Countess of Derby, they were required to view and survey the premises, and to certify the true yearly value as it was worth to let for seven years, in observance of which they, on the 3rd of May, surveyed and annexed copy of the survey (similar to the above).

(First Series, Vol. lxxviii., No. 2,401, fol. 123.)

fo. 123. Petition from Hugh Henshaw (and the chapelry of Sankie), minister of the chapel of Sankie, parish of Preston [Prescot], shewing that whereas the Committee for Plundered Ministers, by an order dated 30 July, 1649, ordered that the yearly sum of £50 should from thenceforth be paid to petitioner as minister of Sankie Chapel out of the impropriate rectory of Ormeskirke, sequestered from the Earl of Derby, and Peter Ambrose, one of the

Sequestration Agents, and others whom it might have concerned, were required to pay the same at such times of the year as the profits should become due.

The augmentation was continued and paid to petitioner Mr. Henshaw, to the 29th May, 1652.

Petitioner prayed for an order confirming the said order for payment of the £50 a year with all arrears.

(Signed) "HUGH HENSHAW.

THO. ASHTON.

PETER PICTON.

RAPH BARNES.

JOHN DUNBALM.

W^m BARNES.

H. M. HAMLETT MASSEY."

"The Com^{rs} to pay w^t is growne due since y^e seques-
traçõn of ye Countess of Derby" (25 May, 1653).

(First Series, Vol. xix., No. 527, fols. 379, &c.)

fo. 385. 10 June, 1653. Order allowing the Countess Dowager of Derby one fifth part of the revenue of her estate for the maintenance of herself and children.

fo. 387. "Gentlemen,

"You may please to understand that I know nothing touching the reference from his Highnesse the Lord Protector of the 21th of Aprill last, touching the settling of an augmentation out of the Rectory of Ormeskirk, further then it is intimated to me by your letter of the 29th of June, hauing before had noe notice of it.

But, howeuer, I humbly certifie you that upon payment of the monys for my composition in November last, the same was conveyed over to those who payd in the moneys for their satisfaction and Indemnity, soe that it is not in my power to treat aboute. I remayne,

"Your most humble servant,

(Signed) "J DERBY."¹

¹ Autograph letter.

fo. 379. "Wednesday, ye 8th of June, 1653.

"At the Councell of State at Whitehall.

"E. Derby.—Ordered,

"That the allowance of five hundred pounds p Anm. bee made & paid to the Earle of Derby out of the Sequestration of the Countesse Dowager of Derby, his mother. And the Com^{rs} at Goldsmith Hall are to take Care that the same may bee paid unto him quarterly, and the first payment is to begin the 24th day of June instant, and soe to continue from quarter to quarter till further order.

"E^r JO: THURLOE, *Secr.*"

"15 Junij, 1653,

Ordered accordingly."

(First Series, Vol. xxxiii., No. 1,044, fols. 775, &c.)

fo. 777. Petition from Captain Thomas Hunter, of Rowsecoate, ffurnes, which shewed that petitioner, in or about the month of July, 1650, discovered to the Commissioners for Sequestrations in the County of Lancaster certain lands called Bolton Heads and the oare mines in Adgarley sequestered from James, Earl of Derby, amounting to the yearly value of four score and fifteen pounds or thereabouts, and the Commissioners, upon the discovery, entered upon the same and had enjoyed the profits for about two years then last past. Now as petitioner, according to an Act of Parliament in that case provided, was entitled to a fifth part of the profits of the premises, and had received nothing, he prayed that the Commissioners would refer the matter to the Lancashire Commissioners, so that they might examine and certify, and be ordered to pay petitioner the fifth or such part as their honours might be pleased to award to him. (7 July, 1653.) "The Com^{rs} to ex: & cert."

fo. 775. Petition by same, which shewed that petitioner, having been from the beginning of "these unhappy differences" ever constant and well affected to the Parliament, and one who had opposed the Commission of Array in the

parts where he resided, and for his integrity therein was plundered of all his personal estate to the value of £600 in the year 1643 by one Christopher Harris, lieutenant under the Earl of Derby at that time, and that petitioner in 1646 commenced an action of trespass against the said Harris, and at the then last assizes at Lancaster had obtained a judgment for £153. 7s. 1d. exclusive of costs, which was very much short of what damages and losses he had sustained by the said plunder, and he, petitioner, intending to sue out a writ of execution against the lands of the said Harris, he (Harris) being a papist and a delinquent, and the lands then lying under sequestration for his delinquency, the Commissioners in the county would not suffer him to do so, contrary to all equity; good conscience hindered him from taking the benefit of his judgment; he therefore prayed they would take his condition into their consideration, and in regard that he had been not only then but several times subsequently plundered by the "enemy," and several times taken prisoner, to his extreme damage and almost utter ruin, would order that his judgment should be satisfied out of the lands of the said Harris. (No date or order.)

(First Series, Vol. xxxv., No. 1,118, fol. 743.)

fo. 743. Petition from George Inman and Henry Hartley, of Ureswicke, yeomen, which shewed that petitioners had farmed a parcel of ground called Bolton Heades in the year 1650 for three years at a rental of £15 from one Paul Morian, then servant to the then late Earl of Derby; petitioners having ploughed and sowed most part of the said ground with oats, and Thomas Hunter, of Rosewater, in the said county, having farmed the same the year before, but not paying the rent, having been ejected and the land let to petitioners, he out of malice to them informed the Lancashire Commissioners that the said grounds had been sequestrated for the delinquency of the said Earl, and offered £40 for that year for the same, hoping thereby to

reap the crop petitioners had sown; the Commissioners then insisted that petitioners should pay the £40 a year or quit the occupation, but as the lease to petitioners was made before the Earl's delinquency, and the land surveyed only at £20, and that much 'above its value, they prayed for an order to the Commissioners for Sequestrations for that county to examine such witnesses as petitioners should produce for clearing the lease under which they claimed to be made before the said Earl's delinquency, so that they might not be utterly ruined by the malicious information of the said Hunter, and in the interim that the rent might be respited in petitioners' hands until the cause should have been heard.

(First Series, Vol. xix., No. 527, fols. 392, &c.)

fo. 403. "To the hoble Com^{rs} for Compoundinge, &c. The Humble peticon of Dyuers Tennants to the late Earle of Darby w^{thin} the Lo^{pp} of Bury & Pilkington, in the Countie of Lanc^r, whose names are subscribed,

"SHEWETH, That yo^r petitioners have contracted with the hoble Trustees at Druriehouse for o^r severall messuages & Tenements and for dyuers of o^r Neigho^{rs} in the Lo^{pps} of Bury & Pilkington whereunto wee had the right of p^{em}ption by the Act of the 16 of July, 1651.

"And whereas it appeareth by order of the Com^{rs} for remooueing obstructions Da^l ffebr 28, 1651[-2], that the Countess Dowager of Darby hath an estate in the said Two Lo^{pps} in Jointure, which said Estate, by order of this hoble Com^{mittee} of the 18th of March last past, is sequestred for the use of the Commonwealth.

"Our humble Supplication is that this hoble Com^{mittee} will bee pleased to graunt Leasses to yo^r peti^{ti}o^{ns} of all such Estate as the s^d Countess formerly had and is now sequestred from her within yo^r peti^{ti}o^{ns} purchases ffor such terme of yeares as this Ho^{ble} Com^{mittee} is authorized to Lett or Lease the same, To bee paid for yearly dureinge such terme of yeares as the same shall bee so letten & lett,

if the s^d Countesse shall so long live. And yo^r peticoner^s shall pray, etc.

(Signed) "RICHARD MEADOWCROFTE.

EDW. SHACKLOCKE.

PETER SEDDON.

GILES MEDOWCROFT.

"19 Aug., 1653,

RAPH SMITH.

Com^{rs} Survey &

ROGER BOOTH."

Certify."

fo. 395. viii of October, 1653, this Act passed.

"An Act to admitt Charlott, Countesse Dowager of Derby to Composition, and for £1,000 to be given to Robert Massy for satisfaction of his losses.

"Be it Enacted by authoritie of this p^sent Parliament, That Charlott, Countesse Dowager of Derby, shalbe and is hereby admitted to compound for the Mano^{rs}, Lands, and Hereditaments, and other Estates, reall and p^sonall, of what kinde soever, whereof or wherein she or any others in Trust for her have or ought to have any Estate, right, trust, Title, or interest in Law or equitie, or w^{ch} is, may, or might be forfeited or Sequestred for or in respect of her Delinquency. And that the Com^{rs} for Compounding be hereby authorized and required to admitt the said Countesse to Composition for the same and every or any part thereof according to the Rates herein after expressed: That is to say, after the rate of five yeares purchase for Estates in ffee simple, and of foure yeares purchase for Estates in Tayle, and of three yeares purchase for Estates for one life, and after like rates proportionably for other Estates for yeares or more lives then one, according as the Lands and p^smisses so to be compounded for were respectively worth the yeare 1640, and for a p^sonall Estate after the rate of one third. And that from and after any Composition made by the said Countess with the said Com^{rs} for Compounding or any foure or more of them, and the first moietie of such Composition money paid and the rest paid or secured to be paid at the times appointed for payment thereof, the said Countesse and other the p^sons

intrusted for her and her and their heires, Executors, Administrators, and Assignes respectively, shall and may hold and enjoy the same premises so compounded for, freed, and discharged from Sequestration and otherwise, in as full and ample manner as shee or they might have enjoyed the same if no Delinquency had been committed.

"Any Act, Order, or Ordinance of Parliament to the Contrary notwithstanding.

"And be it further Enacted, that Robert Massey, of Warrington, in the Countie of Lancaster, shall have one thousand pounds for satisfaction of his losses, whereof £500 shall be paid by the said Countess out of her Estate before the 20th day of December, 1653, or in default thereof the Comrs for Compounding are hereby authorized and required to re-Sequester the premises until the said £500 shall be paid; and the other £500 shall be paid out of the monies wch shall be paid in upon the Composition of the said Countesse at such times as the said Comrs for Compounding shall order the same to be paid. And the Treasurers at Goldsmithes Hall are hereby authorized and required to pay the same accordingly to the said Robert Massey, his Executors or Assignes, whose Acquittance or Acquittances shall be a sufficient discharge to them in that behalf.

"HEN. SCOBELL, *Clerke*
of y^e Parliament."

fo. 402. Affidavit of Daniel Troche, to the effect that the above is a true copy of the original Act.

(Second Series, Vol. liii., No. 3,530, fols. 401, &c.)

fo. 401. Report by Mr. Peter Brereton.

"According to your order, the 19th October, 1653, upon the petition of Charlotte, Countesse Dowager of Darby, directing me to state her case in order to her Composition upon an Act of Parliament of the 8th of October aforesaid, I find that the 8th of October, 1653, it was enacted by authority of Parliament, that Charlotte, Countesse Dowager

of Darby, the now Petitioner, shalbe and is thereby admitted to compound for the Manors, Lands, and hereditam^{ts}, and other Estates, reall and personall, of what kind soever, whereof or wherein she or any others in trust for her have or ought to have any Estate, right, trust, title, or interest in Law or Equity, or w^{ch} is or may be sequestred or forfeited for her delinquency; and that the Commissioners for Compounding be thereby authorized and required to admitt the said Countesse to composition for the same or any part thereof according to the rates after exprest, *viz^t*, after the rate of five yeares purchase for Estates in fee simple, and foure yeares purchase for Estates in taill, and of three yeares purchase for Estates for one life, and after the like rates for other Estates for yeares or more lives then one, according as the Lands and Premises soe to be compounded were respectively worth in 1640, and for a personall Estate after one third. And that from and after any Composition made by the said Countesse, and the first moyetie of such money paid, and the rest paid or secured, the said Countesse and other persons trusted for her, and her and their heirs, executors, administrators, and assignes respectively, shall and may hold and enjoy the same Premises soe compounded for freed and discharged from Sequestration. And it is further Enacted, that Robert Massey, of Warrington, in the County of Lancaster, shall have £1,000 in satisfaction of the losses, whereof £500 to be paid by the said Countesse out of her Estate before the 20th of Decemb. next, or in default thereof the Commissioners for Compounding to sequester the Premises untill the same be paid, And the other £500 to be paid out of such w^{ch} shall be paid in upon Composi^cō of the said Countesse at such tyme as the said Commissioners for Compounding shall order the same to be paid, and the Treasurers at Goldsmithes hall are thereby required to pay the same accordingly, As by a copie of the said Act deposed by Trioche, Gent., more fully appears.

“By the Particular under her hand whereby she submitts and desires to Compound, she saieth that She is

seized for Tearme of her life of the Mannors of Knowsley, Berry, Pilkington, Halewood, Brightmaid, and Sowerby magna and parva, and of the Advowson of Burie, and of certain Lands and Tenements in Manchester, Cheetham, and Salford, and of the Tithes of Holland and Dalton, All lying in the County of Lancaster, the Desmesnes whereof and the said Tythes were in 1640 of the yearly value of Three hundred and Twelve Pound sixteene shillings & eight pence, and the old Rents Six hundred ffortie eight pounds thirteene shillings and sixe pence halfe penny.

"And of the like Estate in the Manor of Bidston, and certain Lands and Tenements in Vpton and Wirrall, in the County of Chester, the Desmesnes whereof being of the yearly value of two hundred and Fiftie Pounds, and the old Rents Seaventie foure Pounds one shilling and Fourepence farthing per annum, and of the like Estate in the Manors of Thirsk, Kerby Malzard, Burton in Lonsdale, and Mewith, in the County of York. The Demesnes and Copihold Rents of Inheritance not improveable were in 1640 of the yearly value of ffftie foure pound seaventeen shillings and eight pence, the old Rents one hundred twentie seaven pound two shillings and nyne pence per annum. All which Manors, Lands, and Premises were, by Indenture tripartite dated the 1st of June, 1628, and three Comon Recoveries suffered in the same, estated by W^m, then Earle of Darby, and James, then Lord Strange, late Earl of Darby, the Compounder's husband, upon the said W^m, Earl of Darby, during the joint lives of himself and the said James, Lord Strange, the Remainder to the Compounder for her life for her joynture, wth divers Remainers over, and allowed by your order of the 17th of June, 1652.

"That she is seized in Fee of the Rectories of Ormeskirk, the Tithe barnes of Newburgh, Bickersteth, and Scarisbrick, and of the Tithes thereunto belonging, and of other Tithes in Snape, All in the county of Lancaster, and in 1640 were of the yearly value of £300 per annum.

"That she is likewise possessed of the residue of a certain tearme of 10,000 yeares in the Manor or Manors of Malors Scarsneck and Overton Madock, with the Advowson of Bangor, in the County of Flint. The Chiefe Rents, Cottage Rents, and Rents upon incroachements were in 1640 fortie pound three shillings and tenne pence farthing per annum, and the old Rents two pound one shilling and tenne pence per annum, whereof five shillings and two pence per annum is for a Tenement in Iscoyd, said to be out of Lease, worth per annum eight pound tenne shillings and six pence. W^{ch} last mençoned premises were, by Indenture dated the 1st of March, 1598[-9], demised by the said W^m, Earle of Darby, unto S^r Randall Brereton for 10,000 yeares, and by meane conveyances afterwards assigned unto the Earle of Pembroke and Montgomery and others in Trust for the Compounder, and allowed by your said order of June, 1652.

"THE PERSONALL ESTATE.

"She also desires to compound for the Plate, household stuffe, and other Goods w^{ch} were in her possession in the Isle of Man, and were Inventoried, w^{ch} Inventorie is returned to this Committee and a copie thereof is hereunto annexed, w^{ch} goods she values at Two Thousand Pounds.

"She conceives that She hath a right to the present possession of the Demesnes of Thirsk aforesaid, but the possession thereof is kept from her by colour of a Lease made to Mr. Peter Holford for about 14 yeares yet in being, and therefore desires a saving to compound for the said Demeasnes, when as she shall recover the same, being of the yearly value of one hundred and fiftie pounds.

"She humbly desires a further Saving, and that she may have libertie to compound within such a reasonable tyme as you shall please to appoint for any Estate omitted, or any Lands undervalued, or other mistakes or defects in this Particular (if there be any), she being ignorant of her

Estates, and the same falling into her but lately, by the death of her husband, since w^{ch} tyme she hath scarce had any possession thereof. And alsoe that upon her second paym^t she may have such abatem^t as shall appear to be just.

"Oct. 25, 1653,
(Signed) "PET. BRERETON."

A pencil reference has "See MS."

fo. 405. Order of reference to Mr. Brereton by the Committee.

fo. 408. Petition.

fo. 409. A Particular of the Mañors, Lands, hereditaments, and other Estates, Reall and personall, for w^{ch} Charlotte, Countess Dowager of Derby, desireth to compound.

IN THE COUNTY OF LANCASTER.

Shee is seised for the Terme of her life onely
of the Mannor and Lordshipp of Knowsley,
with its Members and appurtenances, £ s. d.

The Demeasnes whereof were of the
yearely value in the yeare 1640 of
two hundred and twenty pounds- - 220 00 00

And the old Rents were then one
hundred & ten pounds one shilling
& two pence - - - - - 110 01 02

Shee is seised of the like Estate in the Mannor
of Bury & the Advowson thereof, with its
members and appurtenances, and all lands
& hereditaments thereunto belonginge,

The old Rents whereof were in the
yeare 1640 one hundred sixty three
pounds eight shillings & nyne pence 163 08 09

Tolls of ffares and Marketts there tenn
pounds - - - - - 10 00 00

Shee is seised of the like Estate of the Mannor
of Pilkington, with its members and appur-
tenances,

The old Rents whereof were in the £ s. d.
 year 1640 one hundred and sixteene
 pounds - - - - - 116 00 00

And Turbery there foure pounds - - 004 00 00

Shée is seised of the like Estate of the Mannor
 of Holland, with the appurtenances,

The old Rents whereof were in y^e sayd
 year 1640 Seaventy nyne pounds
 nyne shillings and a Penny - - - 079 09 01

Shée is seised of the like Estate of the Mannor
 of Holland, with the appurtenances,

The old Rents whereof in y^e sayd year
 were Sixty one pounds Seaventeene
 shillings three pence halfe penny - 61 17 03½

Shée is seised of the like Estate of the Mannor
 of Brightmeade,

The old Rents whereof were in the sayd
 year six pounds seaven shillings and
 eight pence - - - - - 006 07 08

fo. 410. Shée is seised of the like Estate of the
 Mannor of Sawerby Magna and Sawerby
 Parva,

The old Rents whereof were in the sayd
 year Seaventy three pounds - - - 073 00 00

Rents of the Turbery there were then
 one pound tenn shilling - - - - 001 10 00

Shée is seised of the like Estate of certain
 Lands & hereditam^{ts} in Cheetam, Manches-
 ter, & Salford,

The old Rents whereof were in the sayd
 year 1640 Thirty eight pounds nyne
 shillings seaven pence - - - - 038 09 07

Shée is seised of the like Estate of the tythes
 of Holland and Dalton, beinge of the yearly
 value in the year 1640 (over and above the
 Rent Payable for ever to the Person of
 Wigan) of Seaventy seaven pounds six shil-
 lings & eight pence - - - - - 077 06 08

IN THE COUNTY OF CHESTER.

Shée is seised of the like Estate of the Mannor £ s. d.
of Bidstone, with its members and appur-
tenances,

The Demeasnes whereof were of the
yearly value in the year 1640 of
two hundred and fifty pounds - - 250 00 00

The old Rents were then forty four
pounds fourteen shillings seven
pence three farthings - - - - 044 14 7½

Shée is seised of the like Estate of certaine
Lands and hereditam^{ts} and of a wind Milne
in Vpton in Worrall, in the sayd County,

The old Rents whereof were in the sayd
year 1640 Twenty nyne pounds six
shillings & nyne pence - - - - 029 06 09

IN THE COUNTY OF YORKE.

Shée is seised of the like Estate of the Mannor
of Thirske, with its Members and appur-
tenances,

The old Rents whereof were in the sayd
year 1640 Seaventy pounds seven
shillings seven pence halfe penny - 070 07 7½

Shée is seised of the like Estate of the Mannor
of Kirby Malzard, with its Members and
appurtenances,

The old Rents whereof were in the sayd
year 1640 ffifty six pounds fiteene
shillings penny half penny - - - 056 15 1½

Shée is seised of the like Estate of the Man-
nors of Burton in Lonsdale and Mewith,

The Rents whereof (the same being
Copyhold of Inheritance & not im-
proveable) were in the sayd year
1640 ffifty four pounds seaventeen
shillings eight pence - - - - 054 17 08

All w^{ch} p^rmisses, by severall Conveyances & Recoueries in 4^o Caroli were lymitted to the use of William, Earle of Derby, now Deceased, duringe the Joynt lives of the sayd Earle and James, then Lord Strange, and from and after the decease of either of them to the use of the said Charlotte, now Countesse Dowager, then wife of the sayd Lord Strange, for her life for her Joynture.

And she humbly desires to compound for an Estate for her owne life, of and in all the sayd Mannors, Lands, & p^rmisses aforesaid.

IN THE COUNTY OF LANCASTER.

She desireth alsoe to Compound for the Rectory of Ormeskirke and the Tyth Barnes of Newburgh, Bickersteth, & Scarisbricke, and all Tythes to the said Rectory and Tyth barnes belonging, and other Tythes in Snape, within the said Parish of Ormeskirke, w^{ch} Rectory and p^rmisses were conveyed to Phillip, Earle of Pembrock, & other Trustees and their heires, by Indenture, 11^o December, 6^o Caroli,

All w^{ch} were worth in the sayd yeare £ s. d.

1640 Three hundred pounds p ann. - 0300 00 00

IN THE COUNTY OF FFLINT.

And for the Mannor & Lordshipp or Mannors & Lordships of Maylors Saesneck & Overton Maddock, & for the Advowson of Bangor, with the rights, Members, & appurtenances thereof, and all Lands & hereditam^{ts} thereunto appurteyninge. And all other the Lands, Tenem^{ts}, and hereditam^{ts} whatsoever in the sayd County of fflint, by Indenture dated the 17th Day of June, 5^o Caroli, men^coned, to be conveyed by the sayd James, Lord Strange, and afterwards Earle of Derby, to William, Earle of Pembrock, & other Trustees, for the residue of a Term of tenn thousand yeares therein men^coned,

The old Rents whereof are yearly two £ s. d.

pounds one shilling & ten pence - 2 1 10

One Tenemt lyinge in Iscoyd and part of the £ s. d.
 sayd old Rent, being heretofore leased to
 Robert Eddow at the yearely old Rent of
 five shillings and two pence, and in lease in
 the yeare 1640, but now said to be out of
 Lease, and is of the yearely value of Eight
 pounds tenn shillings and six pence - - 0008 10 06

The rest of the sayd old Rents are
 still in lease.

The cheife Rents, Cottage Rents, & Rents
 upon encroachment belonging to the sayd
 Mannor & pmisses were of the yearely
 value in the yeare 1640 of fforty pounds
 three shillings ten pence three farthings - 0040 03 10½

The Trust of the sayd pmisses in the County of fflynt,
 and of the sayd Rectory of Ormeskirke, & pmisses in the
 County of Lancaster, by Indenture tripartite, 25^o Mar: 4^o
 Caroli (the sayd Countesse surviveing the sayd James, late
 Earle of Derby), Is directed to be that the same should
 be wholly for the sayd Countesse, and therefore she desires
 to compound for y^e sayd Rectorie of Ormeskirke, and the
 sayd last mençoned Barnes, Tythes, & pmisses in the said
 County of Lancaster, as for an Estate in fee, And for the
 sayd pmisses in the County of fflynt as for an Estate, for
 a Terme of tenn thousand yeares in beinge.

THE PERSONALL ESTATE.

Shee also desires to Compound for the Plate, £ s. d.
 Household stuffe, & other goods w^{ch} were
 in her possession in the Isle of Man, and
 were Inventoried, w^{ch} Inventorie is returned
 to this Comtee, and a Coppy thereof is here-
 unto annexed, w^{ch} goods she values at Two
 Thousand pounds - - - - - - - - 2000 00 00

Shee conceives that she hath a right to the p^sent pos-
 session of the Demeasnes of Thirske aforesayd, but the
 possession thereof is kept from her by colour of a Lease

made to M^r Peter Holford for about 14 years yett in beinge, and therefore desires a saueing to compound for the sayd Demeasnes, when, as she shall recover the same, beinge of the yearly value of one hundred & fifty pounds.

She humbly desires a further saueinge, and that she may have libertie to Compound within such reasonable tyme as you shall please to appoint for any Estate omitted, or any Lands undervalued, or other mistakes or defects in this particular (if there be any), she being ignorant of her Estate, and the same falling to her but lately by the death of her husband, since w^{ch} tyme shee hath scarce had any possession thereof. And also that upon her second Payment shee may have such abatement as shall appeare to be Just.

(Signed) "J DERBY."¹

fo. 417. "Gentl,

"Yo^{rs} of the 25th of ffebruary last we recd the 8th Instant, touching the goods late belonging to the late Earle and Countess of Darby in Rushen and Peele Castles, in the Isle of man. And in Observance thereof M^r Massey, the one of us, attended Colonell Robert Duckenfield, and delivered to him yo^r honnors Letter, ffrom whome alsoe we receued ord^{rs} directed to the officers in the said Isle, together wth copies of two Inventories of the same Goods and a Particular or Schedule of some Plate by Colonell Duckenfeild already taken thence, and procured Coppy of all which we have hereunto sent. And make it o^r humble desire that whereas Colonell Duckenfeild by his said ord^r seemeth to Inhibit^e the deliu^{re} of such goods as are absolutely necessary for the said Castles till further Ord^{rs} from the State or himselfe to that purpose, that therefore we may obtaine yo^r honno^{rs} direction concerning the same. And shall give yo^r honno^{rs} a further Accompt of o^r proceedings wth all possible speed. And in the meantime rest,

"Y^r honno^{rs} humble Serv^{ts},

(Signed) "E. ASPINWALL.

"Aprill ye 13, 1653."

ROBT MASSEY."

¹ Autograph.

fo. 419. "To all and every of the officers in the Isle of Mann under my Comand.

"Yo^{ue} are hereby required upon notice hereof to deliuer or cause to be deliuered all the goods and Plate Inventoryed or not Inventoryed in the Isle of Man that did belong unto the late Earle of Darby or to his Counteis which be in Rushen or Peele Castles unto the Co^mittee for Sequestra^cõns for Lancashire, or to any sufficiently authorized by them to receiue the same goods, they giuing yo^u a sufficient Acquittance for receipt of the said goods. Provided that yo^u dispose not of such goods as are absolutely necessary for the said Castles till further order from me or the State to that purpose, & yo^u are to give what Informa^cõn and assistance yo^u can every way to the Agents that shall be sent herewith by the said Co^mittee for Sequestra^cõns unto the said Isle for selling, or enquire after the said goods w^{thout} delay, for w^{ch} this shalbe yo^r sufficient warrant. witness my hand and Seale hereto this Eleaventh day of Aprill, 1653. (Signed) "ROBERT DUCKENFEILD."

"The Schedule whereof men^cõn is made in the writing or Bill hereunto annexed, etc.

"A p^ticular note of the Plate in the hands of Colonell Robert Duckenfield:—

"Three fruite Basketts, 20 fruit Dishes, a Silver and guilt bason & Ewer enameled, three faire dishes, a guilt Tankard, a great salt wth Branches, Case, and Cover, two under cupps for preserues, a guilt standish, a Chaffin Dish, a sugar box & spoone, a faire branch Candlestick and three socketts wth Cover, a Candlestick and three socketts wth Cover, a Candlestick foote, three Boules, a Bason & Ewer, Three Trencher Salts, a gilt Taster, Eight Tumbrells, tenn fruite Dishes, ffoure under Cupps, nyne Candlesticks, two Ewers, a Cisterne, a Bason, part of a p^fuming Pann, a Bill in a wood frame.

"All these, weighing together Three thousand three hundred & tenn ounces, I was forced to pawne for Seaven hundred and ffifty pounds, because £965 was owing me by

the State, as is acknowledged by Seurall Comittees, yet the said Plate is forthcoming upon the pay^t of my said Debt, w^{ch} I humbly crave allowance for. witness my hand this 11th of Aprill, 1653.

(Signed) "ROBERT DUCKENFEILD."

fo. 421. An Inventory of the Plate, household stuff, Lynnen, Armes, amuniçõn, and proviçõn remaining in Peele Castle at the surrender thereof, taken the 3rd day of Novembr, 1651.

"PLATE.

"*Imprimis in the little Truncke.*—One great Silver Salt wth 3 brannches or Candlesticks, 4 Socketts, and a Cover, 3 Trencher Salts, 2 under Cupps, 6 Plaine Candlesticks, 1 gilt Candlesticke & a foote for another, & one smale bason & Ewer, 3 plaine boules, 8 Tumblers, 1 suger box & Spooone, tea cupp¹ gilt, 1 Wall-Candlestick wth Branches & Socketts, 1 Silver bell.

"*In the bigger Truncke.*—2 greate peeces of Plate fastened like unto a shelve, with 12 pillars, 4 Double Socketts, 7 smale peeces y^t belong to the Socketts, 5 branches, And 5 boules, 5 branches, & 12 Knobcs, all w^{ch} together makes one hanging Candlestick; 2 Tankards, 2 little drinking Cupps, 2 Caudle Capps wth covers & one Caudle Capp without a cover, 2 boules, 1 salt, 4 Trencher salts, 1 trencher plate, 2 broken sawsers, 1 payre of Snuffers & one extinguisher, one warming pann, 1 dozen $\frac{1}{2}$ of Spoones, 1 long ladle, 5 severall pieces which make a toasting forke.

"*In the Packes.*—3 dozen of fruite dishes, 1 geat Sesterne, 3 fruite basketts, one Ewer, 3 flatt bassens, 1 great basin & Ewer guilt, 1 little Cisterne, 4 under Cupps, 2 Candlesticks & 1 Chaffing dish, 1 Silver Cann, 1 guilt Tanckerd, 1 Smale bason, one Trencher & Salt in one [?] guilt, 2 great wall Candlesticks wth 3 branches & 3 Socketts a peece, one perfuming pann.

¹ This is noteworthy.

"LYNNEN.

"In the Truncke bound wth Iron in the Chamber over the Church.—Imprimis 4 paire of fine flaxon sheets, 7 Damask Table Clothes, 2 damask Towells, 14 Diaper table clothes, 11 Diaper Cubbard Cloathes, 30 Dozen of Diaper napkins.

"In the Armery in a great Truncke.—9 paire of flaxen sheets, 8 diaper table clothes, 8 diaper Cubbard Clothes, 1 Dozen of Diaper Napkins, 5 dozen of fflaxen napkins, 3 flaxen Towells, 3 Pillow-beers.

"In the lesser Truncke.—9 table clothes, 8 Cubbard Clothes, 8 paire of sheets, 5 Towells and six dozen of Napkins.

"In the Chest.—7 paire of sheets, 3 Table Clothes, 6 pillow beeres, 2 Towells, 10 dozen $\frac{1}{2}$ of Napkins.

"ARMES AND AMUNICÛN.

"Three Iron sacres,¹ 4 basten sacres, 3 Iron ffaulkens, 1 Iron Demie Culverine, 1 mixt mettle gunn Demie Culverin boare, 4 brass minions, 4 little brass sisters, 1 chamber Peesk of Iron, 2 Iron Murders², 1 brass pott gunn.

"30 musketts, 99 suits of Armer, 19 Buckes & brests but not any head peeces to them, 35 barrells of powder, 1 Tinne of Shott small & great for the great gunns, 14 Cross barr and Chayne Shott, 1 Tunn $\frac{1}{2}$ of match, 1 Slett Sacre, 10 barrells of muskett shott, j dozen $\frac{1}{2}$ of Shovells & spades, 3 dozen of Sithes, 107 barrs of lead, twixt 2 or 300 of Iron and Shele, 2 Cakes $\frac{1}{2}$ of stone pitch, 12 Round heads.

¹ *Saker* or *Sacre*, a great gun. Halliwell says that it was of three inches and a half bore; weight of shot, five pounds and a half. The falcon, according to the same authority, had a bore of two inches and a half, and carried two pounds weight of shot. The minion is said to have required a shot of three inches in diameter. A demi-culverin was a nine-pounder, and a chamber piece was a kind of short cannon, like a mortar.

² *I.e.*, murderers. See note, p. 131.

"PROVISION.

"5 Barrells of wheate, 3 Barrells of Rice, 30 Barrells of Barley, 3 Barrells of Mault, 23 firkins of butter, 2 barrells beef sent on board the hart for Captaine Chamberlaine into England, 20 bundles of poore John,¹ 3 hogsheads of pease, 4 barrells of Oatmeale, 1 hogshead of Wheate flower, 53 barrells of herrings, 10 Tunn of gray salt, 3 Tunn of Coales two whereof be spent, 29 cheeses, 4 $\frac{1}{2}$ firkins of sope, nere a barrell of browne powder suger, 5 naggs 3 whereof giuen to Capt. Chamberlaine, 10 Sheepe, 1 poore bullock spear.

"More in the Truncke bound wth Iron in y^e Chamber over y^e Church then was specified before.—1 damaske Towell, 8 Diaper Clothes, 8 dozen of Diaper napkins.

"HOUSEHOLD STUFF.

"In the Chamber over the Church, in the Chest next the doore.—1 white fustian bedd wrought wth y^e furnture thereunto belonging, wth the furnture for 6 Chaires & 3 stooles suitable; 1 greene brood Cloth bedd, laced wth gold & silver bone lace, lined with red Taffety wth it furnture,

fo. 424. and the furnture for a great Chayre, 4 back Chayres, and 6 Stooles suitable, & 1 Carpett; 1 peece of greene & 1 peece of blue bayes belonging to y^e bedd, 2 feather Ticks, 1 fine holland quilt, 1 red silke quilt, 2 red searge window curtaines, 1 crimson plush Coat lined wth furr w^{ch} the Countess tooke away, 1 Swane's skin stomager, 1 plate looking glass.

"In the square Truncke.—1 rich red velvett bedd, laced wth gold & silver lace, wth Curtaines, vallence thereunto belonging; 1 yellow damask bedd, with Silver fringe, curtaines, vallence, and furnture thereunto belonging, and two window curtains suitable; 2 leather Carpetts, 1 Damaske Skreene, 1 peece of red bayes for the covering of the Trunck.

¹ I.e., Hake.

"*In the great flatt Trunck.*—8 peece of Arrice hangings of Sampson storye, 1 watchett¹ velvett Carpett and 1 bagg suitable layd on with Silver lace, 4 rich imbroidered Cushions, 1 red velvett close Stoole, some players clothes.

"*In the Trunck with the figure of 6 on.*—i black velvett Canipie vallence, 2 damask curtaines wth a cord for the Canipie, 2 redd Taffety Curtaines belonging to the rich bedd, 1 purple damask bedd wth curtaines, vallence, and furniture suitable, 4 Darkish Culler Taffity Curtaines, 1 Yellow Countepayne, little taffety curtaines & vallence furniture for a Canipie, 1 new peece of Dasnix² Testerne, 5 Vallence imbroidered upon 2 blue curtain bayes.

"*In the oake planke Chest.*—1 orringe culler cloth of Tushie³ large Canipie to a Chayre of State, wth furniture for the Chayre, stooles, & foote stoole suitable, laced wth rich plate lace, beinge fourteene peeces, & fringed wth large Silver fringe (not finished); 1 silke quilt Carpett of divers cullers for a foote Carpett, 4 papers of large Silver fringe w^{ch} belongs to the finishing of the Tushie Canipie, Coverings of yellow bayes for the Chayre and stooles, i window Curtain of red stuffe that covers the Canipie; one other Crimson Velvet Canipie for a chayre of state, wth cords to it, and one chayre suitable, all laced & fringed with gold lace and fringe; i window Curtaine of yellow Taffetie; i yellow damaske furniture for a great Chayre, laced and fringed wth rich silver lace and fringe.

"*In the other Truncke.*—In one peece of redd bayes 9 Silver Cords wth tassells in two other peeces of redd bayes.

fo. 426. 72 Couple of rich silver buttons and loops, 15 of y^t sort found since, i whole new peece of yellow watered damask of 80 yards or thereabouts, ffurniture of wrought Irish stitch with redd & white fringe for 10 black Charges, and the like for 11 stooles and for a Couch, i holland quilt for a bedd.

¹ *I.e.*, pale blue.

² Or Darnix, a coarse sort of damask.

³ Cloth of tissue, *i.e.*, cloth interwoven with gold.

"In the flatt Truncke with two locks.—1 blew velvet bedd wth gold fringe, wth curtaines & vallence and furniture thereunto, wth 8 Chayres & 6 Stooles suitable, & 4 Taffettie Curtaines for the windowes Suitable; 1 Redd velvet bedd wth gold fringe, wth Curtaines & vallence and furniture thereunto, wth 8 chayres and 6 Stooles suitable, wth covers to them; Redd Velvet Carpett wth silk fringe, 2 Redd Searge Curtaines for the windows, 3 leather Carpetts for the tables, 6 rich buttons and six tassells of silver wth a silke and silver Cord belonging to the great Candlestick, 2 peeces of redd Cloth y^t comes about the bedd, 1 large border of Ermin's furr ffouled up in a sheet, 4 yellow taffity peeces for Curtains covered wth a murry culler¹ Cobweb lane² wrought with fflowers of silke, 1 yellow Taffity Curtaine w^{thout} Cobweb lane, 8 peeces of little and big of the Cobweb lane w^{thout} Taffity (w^{ch} is not finished).

"In a small Chest.—8 peeces of rich guilt lether hangings, 31 peeces of Arris hangings, 15 long Turkie Carpetts, 19 Turkie Court Cubbard Cloths, 2 window Curtains, of rood Stuffe; 4 window Cushions of Crimson Sattin imbroidred in branches of silver and gold; 2 little Crimson Velvet Cushions, 3 window Cushions, wrought wth Silke; 1 Window Cushion, wrought with Cruell; 1 Ash culler Cushion, wrought wth silke and flowers; 2 Cushions of Cloth of Gold; 5 Velvet Cushions, playne; 1 Velvet Cushion, wth 3 gold laces; 2 peeces of Darnix hangings, 1 ffether bedd and quilted downe or Cotton.

"In the Chamber over.—1 ffether bed and boulster, 3 blankets, 1 quilt, bedd wth Curtains, 1 Dozen of Pewter Dishes.

"Goods in the same Chamber that came out of the Ship called the Hart:—1 peece of gray Lynnen Cloth, 2 Cover-lids, one blankett, 1 peece of Tick, 2 peeces of Stuff, 7 yards; 1 strong water seller,³ 2 bottles wth pewter Covers.

¹ *I.e.*, dark red.

² Cobweb lawn was a thin, transparent lawn.

³ *I.e.*, a spirit cellaret.

"IN CASTLE RUSHIN, *as followeth.*

"Novembr 9, 1651.

"11 barrells and $\frac{1}{2}$ of powder, $\frac{1}{4}$ and $\frac{1}{2}$ of a barrell hand granades, 4 Hides greene powder.

"*Powder house.*—1 barrell & $\frac{1}{2}$ of powder.

"*General roome.*—100 bundles match, each of 10 Skeanes; $\frac{1}{2}$ a barrell of powder in Catharges, 8 granads feild [filled], & 20 unfeild; 400 weight great and small shot.

"*Kitchen Towre.*—1 ffaucon Iron peece.

"*Hall Towre.*—1 Slinge peece.

"*Gunners Towre.*—1 ffaucon peece of Iron, and another of brass.

"*Court of guard.*—100 musketts, 1 Drum, 400 round shott, 10 pickes, a shipp flagg, 2 ffether bedds.

"*Porters Lodge.*—Bed and boulster, wth Curtaines and vallence of a gold cullored brood Cloth, lyned wth yellow Taffity, & trim'd wth yellow and redd silke lace, wth one yellow quilt & Testerne; 1 White Blankett, 1 Cover for a great Chayre, suitable to the Vallence and Curtaines, and one velvett Cushin for y^e Chaire; 2 ffether bedds and bouldsters, and 5 Blanketts.

"*In a long Chest, in the Armery.*—2 white ffustion bedds, the one wrought wth redd, the other wth greene and redd, wth y^e furniture thereunto; 10 Covers for stooles and 6 Covers for Chayres, suitable; 1 old greene damask curtaine and vallence for a bedd, wth silver lace on; ffurniture for 8 little greene searge bedds, 1 little yellow searge bedd, wth redd & white Crewell fringe, wantinge the Testerne; Vallence, curtaine, and Counterpaine^s of stained Callico; 5 greene searge Curtaines for windowes, 1 Carpett of Course greene broad cloth, 1 White imbroidered Covering for a bedd, 2 redd Damask Curtains, 2 Window Curtaines of Greene Damask, 1 old window Cushion, 1 old silke quilt.

"*In the Governour's Chamber.*—1 bedsteed, wth a fether bedd & boulster, and quilt bedd; 2 blanketts, 2 Scotch

broken Curtaines, i Table, wth a Carpett; 2 Chayres, 3 peeces of hangings, 2 ffether bedds, 2 boulsters, and furniture made up out of other rooms since.

"Roome under the Chappell.—5 Cakes Pitch, 3 qrs of a punch of Prunnes, 1 punch of Wheat flour, 1 barrell of Stirrop Irons, 1 barrell of Snaffles, Spurrs, and Buckles, a large halfe barrell of the coarsest browne sugar, 1 chest of nayles, girth buckles and sheepe bells, $\frac{1}{2}$ a barrell; 1 box of locks and keys, $\frac{1}{2}$ a barrell of horse shoes, 1 Ship bell, 3 Tubbs, & 4 basketts, 1 payre of Iron Skales, & 200 lead weights.

"Quoy" roome.—1 Tunn of Iron, 1 barrell of Allom, and two brass kettles.

"Chirurgion's roome.—One bedd.

"In the roome above.—One bedd, one sheet, and one Coverlid.

"Smithy.—One great Cable, & two small ones.

"Brewhouse.—80 fadom of Netts, one great brass pott, 2 brewing Combes, and 2 leaders.

"Brewhouse Chamber.—One bedd and Clothes.

"Hearing [? Herring] House.—12 barrills, 1 Tubb, and one $\frac{1}{2}$ nd hearings.

"Storehouse.—300 weight of old Iron, 1 $\frac{1}{2}$ nd of Brimston, 6 barrells of Tarr.

"Over the Storehouse.—5 stone wool.

"Pantry.—1 brass Cisterne, 5 pewter fflaggons, 1 Dozen of pewter plates, one pewter voyder, and on [one] wooden one wth 4 silver handles.

"Roome over the Sellars.—4 ould bedds (one removed into the Taylors roome).

"Roome over the Dungeon.—One old bedstead, wth Curtaines.

"Mr Henry's Chamber.—One bedd, one blankett and Coverlett, flock bed, bolster, 2 pillowes, 2 Tables, 1 Chaire, 2 Stooles, wth Curtaines.

"Higher Greannerie.—8 Barrells of Mault, 32 barrells of oatmeale, 3 firkins of old glass, wth some old cordinge and Sayles.

"*Lower Graniarie.*—5 boules of wheate, 12 boules of mault, 4 Barrells of pease, 5 Boules oates, one boule of Barley, one old flock bedd, 2¹ barrells of old Evidences, one chest and one Trunck old writings.

"*Kitchen.*—3 dozen old pewter dishes, smale & great ; 2 brass potts, 3 Iron potts, 2 brass panns, 7 brass Skillets.²

"*Cellar.*—10 hhd of beare.

"*Salthouse.*—25 barrells of Salt Drye.

"*Larder.*—2 punchions pease, 2 barrells of oatmeale, 4 Cakes of Tallow.

"*Wett Larder.*—1 barrell of soused puffiens,³ 3 barrells of Salt, 8 Ceeves, 2 Cakes of Tallow.

"*Receiuers Chamber.*—One bedd, wth yellow Curtaynes and Vallence ; one little chayre, one table, and Carpett.

"*Archdeacon's Chamber.*—One standing bedd, wth hangings of Kiderminster Stuff.

"*Mr Treotions Chamb.*—2 ffether bed and bouldsters, 2 blanketts, 1 Coverlitt, one Rugg, 1 Chest, & a new payre of boots and old trumpry, one Chaire, and one Table.

"*Controller's Chamb.*—One Cettle, one Chest, one table.

"*Mr Morris Chamber.*—One standing bed, 4 fether bedds and bouldsters, 2 old tables, 6 Blanketts, 3 dozen fflaxen napkins, 10 coarse cuissions, about halfe a barrell of white starch, 6 payre of fflaxen sheets, 6 pillow bers, 2 long table Clothes, 4 little ones, one fether bedd ticke.

"*In a Trunck of Mr Greenhough.*—16 payre of sheets, 9 payre of pillow bers, 3 Towells, some writings and papers, Mr Greenhalghs ; pewter dishes, 17 ; 2 old fflaggons, one Chamber pott, and one Candlestick, 2 washing bassons, 2 porridgers, 2 old Ewers, 5 old pewter plates.

"*In a Trunck of my Ladyes.*—18 Diaper table Clothes, $\frac{1}{2}$ a Dozen of Cubbard Clothes, 2 fflaxen ones, ii dozen of Diaper napkins, 5 payre of old sheets.

"*In another Trunck.*—3 dozen Diaper Napkins and

¹ The figure 1 has been crossed out.

² A skillet was a small pot with a long handle.

³ *I.e.*, pickled puffins.

table Cloths, one Cubbard Cloth of Diaper, 13 payre of course Sheets, 4 payre of old Sheets.

"*In a halfe hamper.*—5 dozen of fflaxen napkins, one fflaxen table Clothes.

"*In another Trunck.*—6 fushion [? fustian] Coverings.

"*In a Truncke with a horne pnned* [? painted] *on it.*—1 peices and 2 Remnants of Dowlas,¹ 1 wrought sheet, 1 remnant of holland, 1 Roule flannell, one peece of unwhited fflaxen, 2 remnants of ffustian, one smale remnant Tafted holland, and a smale remnant of Lynsie woolsie, one smale bundle fine thred, & 6 of course; one bundle of broad tape, & one of narrow; & one smale remnant of holland.

"*In the Landres.*—1 long Chest, with somme browne Sugar in; an old bedsted, 3 tables.

"*In the Roome where the Clock is.*—A great Cubbard, wth Cheney Cupps and bottles; and one peece of Canvas.

"*In the Library.*—265 bookes of great vollomes, whereof guilded 54, besides smale bookes; 8 Mapps, 3 pictures, 2 ffether bedds, 1 quilt, 1 blankett, 2 boulsters, 2 litle tables, & one covering for a smale, 1 Scrine.

"*The long roome.*—All hung wth old hangings, one smale trunck of Mercery, 1 Trunck, 6 paire of sheets; 1 payre delivered to Major ffox, another to Major Duckenfield; 12 pillowes covered wth yellow damask, 6 Stooles & 6 Chaires covered wth redd velvett, 1 great chayre wth redd velvett, remoued to my Ladyes Closett below; 4 white fethers for bedd Testers, 3 black velvett imbroidered stooles and quishin [cushion], Iron stitch; 4 ffether bedds with mattris & boulsters, 1 remoued into the Gouⁿts Chamber; 8 pillowes, 1 Carryed into y^e Gouⁿts Chamber; 58 peeces of Scotch Cloth, remains 19; 1 old Sell [? cellar] of glasses, bottles, and one new close stoole, 1 hamper wth broken pewter, 1 Chest of browne suger, whereof one part delivered to the Lady; 7 Stone of wooll, my Lady pl²; 2 guilt Clocks, 8 old bedds & boulsters, 5 delievered for y^e souldiers; 8 more roughe ffether bedds of the souldiers, 6

¹ Coarse linen.

² Or pt.

ryding saddles, & 2 women's sadles, wth their furniture, disposed of by Com^{rs}; 4 Cross bowes, 2 brushes to be sett before a Chimney, i Chest of M^r ffowler's Chirurgery, one still in y^e soape roome, 2 ffrkins of Soape, and some Castle Soape.

"*In y Chamber over y^e Chappell, which was M^r Sincockes Chambr.*—One peece of redd Cloth, about 4 yards; i Silver Tankerd, a porringer, and a little aqua vite bottle of plate, i bedsted, stript wth furnitnre; i ffether bedd, i mattris, 4 blanketts, i payre of sheets, 2 bouldsters, & two Caddowes & pillowes more, 9 old blanketts, i ffether bedd, 2 bouldsters, 5 mattris, & 2 blanketts, 3 stooles & 2 chaires, 1 ioiynt stoole, 1 Table, 2 old quishins [cushions]; 2 Truncks came from Capt. Radclif, & in one of them some small remnants of holland, and a wast coate, with some other smale things Capt. Radclift bought of Capt. Turner's pursir, or [? for] 54 barrells of Salt at 13^s p barrell, y^t are not paid for.

"An after Acompt or a noate of Seu^rall things, for w^{ch} full satisfaction shall be given as followeth:—Brought in by M^r Slader in M^r Smith's name¹—

15 ⁶ was offered & would have bin given for the Coult.	One Baye Coult, brought from the Calfe, prized by M ^r Prudence at - }	£	s.	d.
		2	15	0
Course muttons are sold for 6/- a peece, & y ^e Calfe affords y ^e best.	Three mutton, brought from y ^e Calfe, prized by the butcher - }	£	s.	
		00	12	
	Three lambs, brought from the Calfe	00	6	
	One calfe fetched from thence alsoe	00	6	
	One calfe belonging to a Cow, rec ^d from M ^r Padmore - - - - }	00	6	
Capt. Dukenfeild is to pay ijs other 3 ^s .	One other Calfe receud from M ^r Padmore, w ^{ch} I am to paye - }	00	3	

¹ The writing in the margin is not the same as in the body. It appears to be a commentary by some official on the particulars.

38 Boules of oates from Bp [Bishop's] Court, & 6 boules of Malt.	Boules of oates to the number of -	Y ^e measures I know not, but referr it to Mr Pad- more, En- signe Hurst whodtd[de- livered] it.
	A quantity of Malt from Bp Court & Peele - - - - -	
This is absolutely denied by Mr Padmore.	The Milke of 3 Cowes, about 5 or 6 weekes, Mr Padmore assuring us to have them as others formerly had for looking to.	£ s. d.
What became of y ^e rest & y ^e hide?	Two quarters of Beefe sold for - -	00 . 11 . —
Seaven hides sold or made away.	Six hides for w ^{ch} I will be accom- table, but know not the price -	
	Upon a Bond of Crelines rec ^d - -	6 . 17 . 9
	In Scotch Cloth - - - - -	7 . 2 . 4
		<hr/> £ 14 . 00 . 00 <hr/>
The bond to be delieured.	A bond for £20 to be paid to y ^e state at Michas, by y ^e abovesaid Crelines - - - - -	£ 20 . 0 . —

fo. 440. On Endorsement.

"Countess of Derby,

"Lancaster,

"26 Oct., 1653.

"Fine upon the Act of pliam^t
of y^e 8th of Octo^b, 53, w^{ch} giues
libty to y^e Countess to Compound,
£7,200."

fo. 392. Petition, 19 Oct., 1653, desiring to be admitted
to compound (autograph signature).

fo. 393. "The Exceptōns of Colonell Duckenfeild, agst
the Countesse of Derbyes Compoundinge for some plate
Seized on by him when the Isle of Man was reduced to
the Parliam^t.

"That the said Colonell, after the reducem^t of the said Isle, had in his charge 3,310 ounces of the late Earle of Derbyes plate, w^{ch} was Inventored in the said Island, In liewe of a farre greater debt oweinge to him from the State. As he can make appere by Seu^rall Accompts, and in pticular by a report made by Colonell Downes, from the Comⁱttee of the Army.

"The said Plate belonged properly to the late Earle of Derby & his sonne, and not to his Lady, as he doubts not but to prove.

"The said Colonell desires only to be allowed to speake in his owne behalfe and in the behalfe of the Com^monwealth touching the said before she be admitted to Compound for the same. And that reasonable time may be allowed him herein (he beinge in Cheshire, about 140 miles distance, upon Speciall Concernments).

"Other goods & plate in the said Isleland that the Colonell had charge of, much of it sold by the Sequestrato^{rs}, & some in Chester Castle & Captain Eyton's Custody.

(Signed) "RO: DUCKENFIELD."

(First Series, Vol. xix., No. 527, fol. 383.)

fo. 383. Daniel Trioche maketh oath that the seuerall parcellls of plate hereafter mentioned, viz.:—A Cesterne, Two Wall Candlesticks, One table Candlestick, one tumbler, foure spoones—Are part of the goods deliever'd at the surrender of the Isle of Man by the Countesse of Derby, and mentioned in the inuentyory annexed unto the particular of her personall Estate Compounded for. Which he can the better depose in regard he was in the Isle of Man, and present when the same were inventoried; & he further deposeth that he saw the peeces of plate above mentioned in the hands of one Na: Wilson, Living at the Whitehart, in Bashinghall Street, on Saturday last.

(Signed) DANIEL TRIOCHE.

"Sworn before y^e Com^{rs} y^e

31 of Jan^y, 1653[-4].

"R. W."

"Ordered.

" 15 Feby., 1653[-4].

"That a Lfe be written to Mr Wilson to know how he came by y^e goods, & whether he recd [them] from y^e Com^{rs}, & whether they have recd any ord^r from o^r Com^{rs} to sell y^e same goods."

"Forasmuch as we are informed, &c."

"Ordered. That the Com^{rs} in y^e Countrey doe certifie y^e state of y^e case, & whether y^e s^d goods were ever in their hands, and in whose hands they are; & to show cause by next Tuesday why y^e s^d goods should not be delivered to y^e Countess acc[ording] to her composiçõn, and in y^e meantime to forbear to dispose of them.

"That the bonds given by y^e Tenñts, for paym^t of y^e rents, be deluer'd up to y^e Countesse."

(First Series, Vol. xix., No. 527, fols. 356, &c.)

fo. 356. "Mr Hancocke,

"Yo^u may accept the right hono^{ble} Charlot, Countess of Derby, and Collonell Edward Coke as Securitye for the second Moiety of the Countesse, her fine.

(Signed) "RICH: SHERUYN,

" Sep^r 1, 1653.

JO: LEECH.

fo. 357. Report by Mr. Brereton, dated 18 October, 1664.

Heard 19 December, 1654.

"According to your Order of the 11th of April, 1654.

"I have examined the Petition of Charlotte, Countess Dowager of Darbie, desiring to be allowed out of her second Payment for Rents issuing out of Manors and Lands for w^{ch} she compounded, and to be likewise allowed for part of the personall Estate, for which she also compounded but cannot enjoy, the same being since sold and disposed of to the use of the Commonwealth; and I find

"THAT, by Act of Parliament, passed the 8 of October, 1653, the Comission^{rs} for Compounding were impowered to

Compound with Charlotte, Countesse Dowager of Darby, at the rate of 5 yeares' purchase for Estates in fee simple, of foure yeares purchase for Estates in tail, and of three yeares purchase for one life, and after the like rates proportionably for other Estates for yeares or more lives, and for a personall Estate after one third.

"In pursuance of which Act she petitioned, the 19th of October, 1653, to compound; and the 26th of the same month compounded (amongst other things) for the Rectorie of Ormeskirk, and certaine barnes and tithes in the Parish of Ormeskirk, in the County of Lancaster, of the yearly value of £300, whereof certain persons were seised in fee, in trust for her and her heirs, and for the Manors of Knowseley, Berry, Pilkington, Holland, Brightmead, Holwood, and Sowerbe magna and parva, for certain Lands and Hereditaments in Chetham, Salford, and Manchester, and for the Tithes of Holland and Dalton in the said Countie, whereof she stood seised for life as part of her joynture, of the yearly value in Tithes and Demesnes £312. 16^s 08^d, and in old Rents £648. 13^s 06^½^d, for w^{ch}, together with certain other Manors, lands, and tenements, her fine was set £6,866. 13^s 04^d, without allowance for any Rents issuing out of the Premises. And she compounded then also in generall for a personall Estate of £1,000, being part of a personall estate £2,000 menconed in her Particular, vizt., Plate, Household Stuff, and other goods in her possession in the Isle of Man, an Inventorie whereof was returned to the Commissioners here and a Copie annexed to her Particular, for w^{ch} £1,000 goods her fine was sett £336. 06^s 08^d, in all £7,200. The moyetie whereof, the Countesse having paid into the Treasurie and secured the other Moyetie, she had the Sequestration discharged by several orders to the Commissioners of the 1st of November, 1653, whereby the Commissioners for the Counties of Chester and Lancaster are directed to restore unto her all such Goods as are menconed in the said Inventorie, excepting such as are in the hands of Colonell Duckinfield, for which her composi-

tion was respited. And touching such Rents issuing out of the said Mano^{rs} and Premises, and for w^{ch} she now craves allowance out of her second Moyetie, the Commis-
sion^{rs} for the Countie of Lancaster have, in pursuance of yo^r said Order of Reference, certefyed the Depositions of severall Witnesses, examined upon Interrogatories as followeth:—Edward Orme Deposeth that there is an yearly Rent of 10s. issuing out of the Park and Desmesne of Knowseley, part of the Countesses Joynture, due to this Deponent as Parish Clark of Hyton, in the said Countie, w^{ch} Rent he hath received for 39 yeares last past, save two yeares in arreare. And that for 39 yeares last past there hath been paid out of the said Estate £1. 06^s 8^d p ann. to the Vicar of Hyton aforesaid, and believes the same ought to be paid as formerly. Samuel Bodin deposeth that there is due out of the Holland Forrest and Dalton, part of the Countesses Joynture, £12. 13^s 4^d to this Deponent as Minister of Holland aforesaid, allowed by Ordinance of Parliament of the 28th of September, 1643, and by order of the Com^{missioners} for compounding dated the 8th of September, 1653. And Jeffrey Roby deposeth that the same hath bin paid out of the said Tithes for 50 yeares last past, w^{ch} he the better knowe in regard his father in his life and after his decease this Deponent paid the same. And I finde that, upon my Report in the Case of the said Samu^{ell} Bodyn, a rent of 19 markes p ann., formerly paid to the Rector of the Parish of Wigan, in the said Countie, for the Tithes of Holland and Dalton, sequestred for the delinquency of the Earl of Darbie, being settled by the said Ordinance, was allowed here unto the said Samu^{ell} Bodyn by Order of the 8th of December, 1653.

“The said Jeffry Roby and William Eccleston depose fully to £25 p ann. yearly paid out of the Rents of Holland aforesaid, part of the Countesses Joynture, unto the Master and Almesmen of the Hospitall of Latheham, in the said County of Lancaster. And I find that, upon reading the Certificate of the Com^{missioners} and severall Depositions taken and transmitted by them, the Com^{missioners} for Com-

pounding, the 17th of Februarie, 1651, allowed of the said £25 p ann., and ordered the same to the said Almesmen accordingly. Henry Ashton deposeth that there are two chief Rents issuing out of the manors of Burie, Pilkington, Salford, Cheetham, Cheetwood, Bolton, and Brightmead, parcells of the Countesses Joynture, one of £3. 02^s 02^d, the other of 22^s, formerly called Crowne, now due to the Commonwealth, which this Deponent the better knoweth in regard he, as servant to the late Earl of Darbie or Countesse, hath paid the same unto Raph Worthington, Esqr, as appeared by severall Acquittances shewed unto the Deponent. The said Raphe Worthington deposeth that he, as a Chief Bailife of Salford Hundred, hath for some years's past received of his Deputie Bailifes, out of the Estate of the late Earle of Darbie, severall Chief Rents, formerly due to the King, out of the Manor of Burie, 18s.; for Highfield, 15s.; for Cheetham and Cheetwood, 13^s 4^d; for Heaton in Lonsdale, 10^s; for Salford, 6^s 8^d; and for the Colledge, in Manchester, 3^s 1^d; w^{ch} severall Rents have bin received as aforesaid according to such Rentals as he received out of the Duchy, and paid the same, formerly to the late King, afterwards to the Commonwealth, till about a yeare or two since the same were purchased by Colonell Birch and Jeremy Whitworth as they alledge, and that since that tyme he hath paid them to the said Colonell Birche, and that he hath not received any other Rents out of the said Earle's Estate.

"The said Henry Ashton deposeth that there is a Rent Sack [?] of 11^s 06^d, heretofore collected for the Crowne, now for the Commonwealth, by the Baylifes of the Fee Court of Widnesse; and a Wappentake Rent of £2. 02^s 10^d issuing out of Knowsley, Hyton, Roby, Sarback, and Holland, parcell of the Countesses Joynture, w^{ch} this Deponent the better knowes in regard he hath paid part of the said Rents, and hath seen the accompts of other servants to the said late Earl, accompting for the same to be paid as aforesaid. And Thomas Boothe deposeth that he, as Bailife of West Darbie Hundred for above 15 yeares

past, received out of the Estate belonging to the said Earl severall Rents, formerly due to the late King, vizt., out of Holland, 12^s; out of Knowseley, 2^s 6^d; out of Roby, 2^s 6^d; out of Hyton, 2^s 6^d; out of Sarbock, 3^s 4^d, w^{ch} he paid to the Generall Receevour of the Duchy for the Countie of Lancaster untill about 1642, at w^{ch} tyme the said Estate was sequestred.

"The said Henry Ashton deposeth that there is a Rent of 6^d due to Sir Edward Moseley out of Certain Lands in Manchester, part of the Countesses Joynture, w^{ch} he believes in regard the same is accompted for by the said Earl's servants to be paid for severall yeares together, and hath bin demanded by the said Sir Edward, or others on his behalf of this Deponent, as servant to the said Earl or Countesse, and now as servant to the Countesse. And John Scoles deposeth that he, as Bailife to the said Sir Edward Moseley for 16 yeares last past, and as Bailife unto his Father for 10 yeares, received Rents due by the said Earl of Derby for his Lands in Manchester, amongst which there is one Rent of 3^s 10^d for Chantry Lands in Manchester, and another Rent of 2^s 8^d for Pilkington, and another of 3^s 6^d for the Colledge Barne in Manchester, and another of 6^s 4^d for a Farm in Manchester, and another Rent of 3^s 2^d for two fields in Manchester. All w^{ch} Rents are issuing now out of the Countesses Joynture, and have bin paid as aforesaid to this Deponent, and still are due and ought to be paid to the said Sir Edward Moseley out of the said severall Estates. But deposeth that there is one Rent day unpaid of 6^s for Pilkington, College Barne, and Chantry Lands.

"The said Henry Ashton deposeth that the names Withm Alcock and Thomas Morris purporting to be to the sealing and deliverie of a Deed made by James, Earl of Darbey, to John Stephenson of a Rent of £30 p ann., to be paid in manner following, vizt., £15 p ann. out of the profits of the Manor of Halewood, part of the Countesses Joynture, and, in lieu of the other £15 p ann., to enjoy part of a Tenement in Knowseley aforesaid, being

part of the said Countesses Joynture, called Gorsuch Tenement, for three lives, men^coned in the said Grant or Deed bearing date the 20 of March, 1639; this Examinant verily believes the name William Alcock so Endorsed to be the handwriting of William Alcock, who then was one of the said Earl's Comissioners; and that the name Thomas Morris so endorsed was the name of Thomas Morris, the Secretarie to the said Earle, w^{ch} this Deponent the better knowes because he was verie well acquainted with their handwritings in their lifetyme. And doth knowe that M^r Peter Ambrose did pay £15 p ann. out of the Manor of Halewood, as he was Agent for Sequestra^cions of that Estate. And deposeth that the Children of the said M^r Stephenson doe enjoy part of the said Tenement according to the said Grant made by the said Deed. And John Case deposeth that M^r John Stevenson, late of Knowsley, Deceased, by order of the Comitte^e for the County of Lancaster, received out of the Manor of Halewood a certain Yearly Rent of £15 or thereabouts from M^r Peter Ambrose, one of the Agents for that part of the Earl of Darbies Estate, and that, by virtue of the said Order, the said Rent was paid for Divers yeares to the said M^r Stephenson. And deposeth that he hath seen a writing in Parchment, signed J. Strang, dated 29 Martij, 1639, granting to the said M^r Stephenson for the lives of him the said John Stephenson, Judith his wife, and James his sonne, with power to hold part of a Tenement in Knowseley, called Gorsuch Tenement, to raise £15 part of the said £30. And deposeth that he believed the name J. Strange was the handwriting of the late Earl of Darbie and then Lord Strange, and that the name Thomas Morris endorsed as a witness to the sealing and deliverie of the said Deed or Writing, was the handwriting of Thomas Morris, sometyme servant to the sayd Lord Strange; and likewise deposeth that the said John Stephenson, by himself or his Assignees, held part of a Tenement at his death and for divers yeares before."

"John Case deposed to a fee farm Rent out of the

Rectory of Ormskirk belonging to the said Earl of Darby, that the same had been demanded by Mr Edward Pollard, Receiver for the Commonwealth, and the Rents within the said County sometime called Crown Rents. He believed the said Rents was about £47. 4s. 2d. a year. That he well knew Mr Peter Ambrose, theretofore employed as Agent for Sequestrations of that part of the Earl's estate, had an order about 1645 from divers of the then late Committee for payment thereof, and in observance thereof Mr Ambrose paid Mr Pollard divers sums in discharge of the said Rent and other Rents. Richard King deposed that he was employed by Colonel Thomas Birch, Thomas Fell, and others to collect certain fee farm Rents purchased or reprinted by them for the use of several Ministers and Schools in the said County, and among the rest had in charge to gather £47. 7s. 6d. a year out of the Rectory of Ormskirk, with the arrears from 15 July, 1651, the time to his best remembrance of the purchase or Reprize thereof. That he demanded the said Rent, but the Rectory being under sequestration, he could not receive the same, but the Commissioners for Compounding (London) had ordered the Lancashire Commissioners to pay the said Rent, and deponent had directed the same to be paid to Mr Dunne, Minister of Ormskirk; and further deposed that, subsequently to the purchase, one year's rent had been paid to Thomas Fell, Esq., for the uses aforesaid."

Mr. Brereton found that by an order of the Trustees for sale of Fee Farm Rents dated 26 July, 1653, a contract was made with them by the said Thomas Fell, Esq. (15 July, 1651), and the conveyance since past in the name of the said Thomas Fell and others, amongst other things, for the fee farme Rent of £47. 7s. 6d. out of the said Rectory and the purchase money had been paid, and the Sequestration discharged, and the purchasers permitted to enjoy the same.

The above was the substance of the proofs touching the rents which the Countess craved to be allowed out of her second payment, and touching such part of the £1,000

personal property compounded for which she alleged had been sold and disposed of since her composition, and therefore craved allowance for the same. He found that the Lancashire Commissioners certified 2 June, 1654, that the Countess's Agent there desired them that Lawrence Owen, their late agent, who was sent over to the Isle of Man to seize the estate in the said Inventory mentioned, might be examined to the 9th Interrogatory: "What Goods or Plate belonging to the said Countess came to his hands in the Island, how much he had sold, of what value, and at what time, and what he had sold since the 11th of October, 1653." That upon his appearance he produced a book of Account wherein all his Accounts as to the seizure and disposal of those goods were particularly expressed, and offered to depose to the same, but as he could not answer "punctually" as to the time mentioned in the Interrogatory when the goods were sold, the Commissioners did not take his Examination on oath in writing, contenting themselves with receiving the Accounts aforesaid, and delivered the same to their Auditor (Mr. Richard King), to be presented before Mr. Brereton.

By a copy of the said Account certified by Mr. Auditor Brown, he found the said Accounts to be under five heads. The *first* contained the particulars of the goods which came to the knowledge of Lawrence Owen, and the valuation of them, and how some of the goods were disposed of by some officers therein particularly mentioned. The *second*, such goods as came to the hands or "dispose" of the said Lawrence Owen. The *third*, a particular of the goods sold by the said Lawrence Owen, amounting to £748. 12s. 8d. The *fourth*, a particular of the goods delivered to Mr. Henry Ashton, formerly belonging to the Earl and now to the Countess of Darby, "vizt., one great chaire covered with Velvit, laid with gold lace and fring, Six chairs and five stooles covered with silk and gold fring, fower stooles covered with Yellow damask with short silver fringe, Five pieces of old Arras hangings, one skrewe desk for a book, one pillar for a bowle to wash in,

some curtaines for a bedd, one Greene Rugg, Thirtie-five Pictures and Mapps in oyl wthout Frames, Seaventie-six Pictures in Frames, one great chest filled with old deeds and writings, one Trunck and in it seaven hard twists thrid or silk, Three hundred and sixtie books of great Volume, Five hundred and Seaventie bookes of lesser Volume, one guilt clock, one great frame for a looking glass, one wooden voyder with four silver handles, Four table covers of leather, Two green skreenes, Twelve peeces of old rotten hangings, one wooden chest having in it two old cushions and 21 yards of course ticking. But the value of these things so delivered to the said Henry Aston is not mentioned in the said Account. The *fifth* head of the said Account contains such Goods as still remains in the hands of the said Henry Asheton, valued to be worth £20, and the said Henry Asheton, examined upon Interrogatories before the Commissioners, deposed to the 9th Interrogatory that all the goods which this Examinant received from the said Laurence Owen for the use of the Countess of Darbie were in the whole worth about the sum of Four score pounds."

"All which is submitted to judgment" (October 18th 1654).

fo. 369. Order of reference to Lancashire Commissioners (11 April, 1654).

fo. 370. Petition (copy), 11 April, 1654, praying for an order directing the Lancashire Commissioners to examine into the matter, and return the same with speed that it might be reported, so that she might have an abatement out of the second moiety of her fine.

(First Series, Vol. lxvii., No. 2,134, fols. 203, &c.)

fo. 203. Petition from Evan Wall, of Preston, gentleman, which shewed that in the names of others petitioner had purchased from the Trustees for Sale of Delinquents' Estates the reversion in fee of a messuage and tenement in Sowerby, being part of the estate of the then late Earl

of Derby, which at that time was in lease for the life of Dorothy Grant, widow, and two thirds thereof under sequestration for her recusancy; that, notwithstanding that the said Dorothy Grant was then lately dead, and that the then Countess Dowager of Derby had compounded for the said estate as having been part of her jointure, and her interest therein had been conveyed to petitioner, yet he could not be permitted to enjoy the profits of the said two thirds, inasmuch as the Lancashire Commissioners had no power to discharge the same without an order from the Commissioners above, which he therefore prayed for (15 February, 1653[-4]). The Commissioners in the country to examine and certify, and referred to Mr. Reading.

ff. 205-212. Report by Mr. Reading dated 17 May, 1654. After reviewing the case at considerable length, mentioning several persons' names as witnesses and otherwise, he submitted to judgment whether the sequestration of the said two thirds should not be discharged.

fo. 213. Order referring case to Lancashire Commissioners.

fo. 215. Petition (copy).

fo. 217. Copy of the agreement for the purchase of the property, signed by Humfrey Kelsall on behalf of Richard Whitbread and Ralph Longworth. The property was located in the parish of Sowerby; tenants names are mentioned.

fo. 219. Communication from Lancashire Commissioners, mentioning that they had taken the examinations and forwarded copies and other matters.

fo. 221. Interrogatories administered.

fo. 223. Examination of Henry Brewer, of Inskipp, aged forty-seven; and

fo. 224. of Richard Latus of the same, aged forty.

fo. 226. Interrogatories for the Commonwealth.

fo. 227. Depositions of Henry Brewer, Katherine Gant, and Richard Latus.

fo. 229. Deposition of Daniel Trioche, gentleman, as to the indenture dated '23 January, 1653[-4], between

Charlotte, then Countess Dowager of Derby, of the one part, and petitioner of the other. The deed was witnessed by deponent at the Countess's residence, situate in Wild Street, in the parish of St. Giles-in-the-Fields, co. Middlesex, he being a servant of hers. He also knew that the said sum of £30 mentioned in the indenture was truly paid to the said Countess before the sealing of the indenture.

fo. 231. Certificate exhibiting yearly value.

fo. 233. Same as to proceedings had.

(First Series, Vol. xcix., No. 3957, fols. 279, &c.)

fo 279. Letter from Preston, dated 17 March, 1653[-4], signed by E. Aspinwall and Ro: Massey, mentioning that they had seen an order of the 1st March then instant, in the case of William Dunn, minister of Ormskirk, alleged to be an order from their Honours, and shewn to them by Mrs. Dunn, but not left in their hands; and upon perusal thereof they found that it was ordered that, if there were no cause against the said Mr. Dunn, why he should not be paid the arrears of £90 a year granted to him by several orders of the Committee . . . from Plundered Ministers out of the impropriate rectory of Ormeskirk, amounting to £270, other than his not taking the Engagement, that then he should forthwith pay the said £90 a year, and the Countess of Derby to pay so much thereof as become due whilst the said rectory was in her hands, whereupon they made bold to certify that they had perused and examined the accounts of the profits received out of the said rectory since the year 1649 (a copy of which accounts they enclosed), whereby it appeared that the whole of the profits had been disposed of by former orders to such as had subscribed the Engagement, before Mr. Dunn had engaged, they being required by their instructions not to pay any stipend to ministers unless they first subscribed the Engagement, so that nothing remained in their hands towards the payment of the said arrears.

A second letter from same, dated at Ormeskirke, 28

April, 1654, referring to their having received an order dated 29 March, which directed them to receive from the Countess of Derby such rents as she had received upon the order of suspension granted to her by the then late Earl of Derby for her joynture, and out of the same to satisfy Mr. William Dunn so much of the £270 mentioned in the order as the profits received by her ladyship out of the rectory of Ormskirk would amount to; they made bold to certify that, upon perusal of the accounts, they found she had received £183. 10s., less, £25. 12s. 2d., a fee farm rent, so that all Mr. Dunn could receive was £157. 17s. 10d., leaving due to him £112. 2s. 2d. And they further certified that all other money received by them out of the said rectory had been disposed of to several other ministers in virtue of former orders.

ff. 282-285. Statement of the receipts and disbursements connected with the rectory of Ormskirk for the years 1650-1-2. Among the items of receipts were "Privy Tithes" and "Dowles" [doles]; and among the disbursements, £19. 2s. for a horse and arms for the use of the Parliament; Mr. Hugh Henshaw, minister at Sankey (June, 1650, to March, 1652), £87. 10s.; Mr. Hill, minister at Latham same period, same sum; Mr. Gawen Barkly, minister at Scarsbricke, same; and Mr. Bell, minister at Elswicke to 13 March, 1651[-2], £81. 10s. In 1653, Mr. Dunn farmed the tithe corn of Ormskirke for £316.

fo. 289. Letter dated Preston, 21 September, 1654.

fo. 291. Letter dated 26 January, 1653[-4], at Ormskirk. This shows Mr. Dunn's account.

(First Series, Vol. xxi., No. 613, fols. 339, &c.)

fo. 339. Printed certificate, signed by John Nye, registrar, dated 12 May, 1654, shewing that petitioner was a person qualified to preach the Gospel, and therefore fit to receive the augmentation which had formerly settled upon him or the place where he preached.

fo. 341. Petition, by which it appeared from a certificate

of the Commissioners for Sequestrations for the County of Lancaster, that by virtue of an order of the 29th March, 1654, they had received from the Countess of Derby £157. 17s. 10d., which sum ought to have been paid to petitioner, in addition to which, as appeared by a certificate accompanying, there was a further sum of £112. 2s. 2d. due. Petitioner prayed for an order to the Lancashire Commissioners directing them to pay the money which they had received, and to grant him the amount owing in addition out of the Countess of Derby's fine, or in some other way as "their Honors should think fit," 6 February, 1654[-5]. "Dismist—in regard y^e ordinance for her Ladyship's Composition directs us to compound for *all* her estate, and she hath compounded for what is now claymed."

fo. 344. Petition.¹

"To his Highness the Lord Protector of The Commonwealth of England, Scotland, and Ireland.

"The humble petition of William Dunn, Minister of the Gospel att Ormchurch, in the Countie of Lancaster,

"SHEWETH, That yo^r Petitioner being Minister of Ormchurch Market Town,² of large Extent, conteyninge betweene foure and five thousand Soules, there belonginge of ancient allowance to that Great Cure not aboue £21 per Annū., payable out of the Revenues of the Crowne, for augmentation, whereof yo^r Petitioner had, in the year 1646, an Addition of £90 per Annū., granted by the Committee for Plundered Ministers for the better Maintenance of yo^r poore Petitioner and an Assistant to helpe him, out of the Rectory of Ormechurch, being £300 per annū.; and an Impropriaçõn belonging to the late Earle of Darby, and then under Sequestraçõn for his Delinquency. And that yo^r Petitioner and his Assistant did receive the said Augmentaçõn (granted by the said Committee) during y^e Sequestraçõn.

¹ This is apparently the first instance met with of appealing to the Protector against a decision of the Commissioners.

² "And the parish" is interlined.

"But that being now taken off by the Countess of Darby (the said Augmenta^{co}n not being considered in her Composi^{co}n), has ever since (except some small summe) beene suspended from yo^r Petitioner^r.

"Yo^r Petitioner's humble supplication to yo^r HIGHNESS is that the Countess of Darby (who is now possessed of the said Rectory and profitts) may be enjoyn'd to continue the said Augmenta^{co}n, and that the Comissioners for Compoundinge may except it out of the second moytie of her Composition, Or what other Allowance yo^r Highnesse shall please to thinke fitt for soe great a Cure.

"And yo^r Petitioner (as in duty bound) shall ever pray.

"WILLIA: DUNNE."

"THE ONE AND TWENTIETH OF APRIL, 1654."

"HIS HIGHNESSE' PLEASURE is HEREBY to REFERRE this Petition to the Comissioners for managing Estates under Sequestra^{co}n sitting at Haberdasher's Hall, London, to consider of the Petition^{rs} Case, and if they find the same to be as is represented, then to treat with the Countess of DERBY or her Agents upon what tearmes the Countesse may bee procured to settle the Augmentation in the Petition mentioned upon Orme Church in Perpetuitie.

"And to Report the same to HIS HIGHNESSE.

(Signed) "LISLE LING."

In the margin is written:

"25 April, '54.

"The Com^{rs} to be minded by Mr Dunn of this peti^{co}n when the Countesse of Derby comes to pay in her 2^d moiety."

fo. 345. "Dec^r ye 13th, 1653. Yo^r pet^{rs} case is thus:

"July ye 16th, 1652. He was allow'd by ye Com^{tee} for plunder'd Min^{rs} £90 p annu. frō ye beginning of March 1649, of w^{ch} £90 a yeare ye Com^{rs} for Sequest^{co}as in Lancashire pay'd until June ye 24th, 1650, £36. 16s., & noe more till July ye 25th, 1653, when, in pursuance and pallell orders frō ye s^d Com^{tee} & yo^r Hono^{rs}, they payd £45

due frō Dec: y^e 24th last, unto June y^e 24th by-gone. One main cause y^e s^d Com^{rs} pay'd yo^r pet^r no farther was a 1st discharge of y^e Rectory of Ormsk^k, Lately sequestred frō y^e late Earle of Derby; a 1st discharge thereof, I say, upō suppositiō, if y^e Countesse cleared her delinquency; the sayd Countesse her 1st title was in Jan., 1651[-2], since w^{ch} tyme she was, by yo^r hono^{rs} judgment, Deem'd Delinquent in March last, under w^{ch} censure of yo^r Hono^{rs} whilst she Lay, yo^r pet^r became farmer to y^e Rectory afores^d, in hope to have his Arrers of £242 & upwards out of the tithe corn by him farm'd frō y^e s^d Com^{rs} of Lan^c, who, in pursuance of yo^r Hono^{rs} orders, have graunted him y^e continuance of his £90 a yeare till further orders.

"Now being y^t yo^r pet^r is possess'd of y^e s^d Rectory to pay his s^d arreres of £242, till y^e last title of y^e s^d Countesse again discharged frō Sequestracō Nov: last upō this Exhibitō of his case, he humbly prayeth yo^r most deliberate judgment in this matter, with yo^r Lres to y^e Com^{rs} in Lancashier to do as yee see cause.

{ "On y^e behalfe of him
& wife & 8 small
Children."

fo. 347. Petition (15 December, 1652) appealing for the arrears.

"Ordered that the Commiſſioners below do take care that they do not lay more charge upon the petitioner's Augmenta^cōn then they do lay upon others of equall value with his."

fo. 349. Petition, 14 December, 1653, praying for arrears (see *supra*).

"That y^e Com^{rs} below do stāte the accompt what he demands for Arrears and what is due to him for rent, & then we will give further order.

"R. W., J. V."

fo. 351. Communication from London Commissioners, requesting Lancashire Commissioners to examine and state the account between petitioner and the Commissioners;

meantime the rents then due to be stopped for three weeks in the tenants' hands (Copy, 21 December, 1653, "T. Bayly.").

(First Series, Vol. xix., No. 527, fols. 373, &c.)

fo. 382. "Madam,

"Wee desire yo^r Ladyshipp will please forthwith to pay into the Trêry, at Goldsmithshall, All such some and Somes of money by you receiued out of yo^r estate whilst you enioyed the same upon security, the same being now payable to the State according to the Condiçon of the Bond entred into by yo^r Ladyship and your sureties, otherwise wee shall proceed to leuy the same by way of Seqⁿ.

"Wee are,

"Madam,

"Yo^r Ladyships humble servants

"(A True Copy, 10^o Junij, '54),

"En^r."

"T. BAYLY."

"Haberdasher's Hall,

"9^o Junij, 1654.

"To the Countesse

"of Derby,

"14 Junij [16]54.

"In regard Mr Hamersly informes us y^t he serued this upon y^e La: D: footman, & y^e mony not yet p^d. *Ord:* theref: y^t if her La^p pay it not in T. by Munday night next we shall be forced to issue out o^r warr^t to Leauy on tuesday, & her L^ap to have notice hereof."

"In pursuance of his Highnes the Lord Protector's direction to the Commissioners for Managing Estates under Sequestration, made upon the petition of James Waynewright and William Brownsword on the behalfe of the towne and parish of Ormeskirke, to treat and agree with the Countess of Derby or her Agent for the settlement of ninetee¹ pounds per annum for perpetuity to a

preaching Minister in the Towne of Ormeskirke aforesd̄, in the Countie of Lancaster, I, Daniel Trioche, agent and seruant to the said Countesse, have treated with the said Commissioners by direction of the said Countesse, and doe agree and conclude on the behalfe of the said Countesse to take thirteen yeares valew from the said Commissioners for ninetee pounds per annum to be settled as aforesayd out of the Rectorie of Ormeskirke aforesaid. In witnesse whereof, I herewith sett my hand the foure and twentieth day of Nouember, in the yeare of our Lord 1654.

(Signed) "DANIEL TRIOCHE."

"In ye p^rsence of

T. BAYLY,

THO. TURNER."

(Superscription.)

"For his much esteemed friends,
the Comissioners for managing
the estates under Sequestraçõn."

"24 Nov., 1654. This agreem^t is approued of by the Com^{rs}, and doe referr it to M^r Brereton to state ye case to his highnesse according to his highness his reference.

"M^r Wainwright."

"T. BAYLY, Registr."

(First Series, Vol. xix., No. 527.)

fo. 375. "Gentlemen,

"His Highness the Lord Protector comanded me to write unto you to send a Copie of the perticular upon w^{ch} the Countesse of Derby compounded, and to certify the state of the busines concerning such presentaçõns, advowsons, or right of patronage, as were formerly claymed by her, whither they were compounded for, w^{ch} was all that was given in charge to

"Yor very louing friend

"and Servant,

"April 11, 1654"

(Signed) "HEN: SCOBELL."

"This bearer will waite on you for
the Copie & Certificate, by his
highnes especial Comands.

"14^o April, 1654." "Ref^d to Mr Brereton to draw up
an answer to his tre, taking into his Considera^{ti}on the Act of
Par^l & her La^{pp}s p^ticular, upon which shee Compounded."
fo. 527. Petition (original).

"To the Hon^{ble} the Com^{rs} for managing the estates
under Seq^{con}. The humble peti^{ti}on of Charlotte, Countesse
Dowager of Derby,

"SHEWETH, That the peticon^r, in pusuance of an Act of
Parliam^t of y^e 8th day of October, 1653, hath Compounded
for her estate and payed the Moyetie of y^e ffyne imposed.
That there are severall Rent chardges & other out Rents
issuing & payable out of y^e sayd estate, in the Countie of
Lanc^r, for w^{ch} no deduction was made at the setting of y^e
ffyne; that some part of y^e psonall Estate men^{ti}oned in y^e
Inventory annexed unto y^e p^ticular of her estate is since
sold or disposed of, by w^{ch} meanes the Peticon^r cannot
injoy all the psonall Estate men^{ti}oned in y^e Inventory.

"She therefore Prayes yo^r order to y^e Com^{rs}
for Seq^{cons} in y^e County of Lancaster, that they
may take the Examina^{ti}ons of such witnesses as
shall be p^duced unto them, to prove the p^ticulers
aforesayd, and to retorne the same with speed
unto yo^r Hon^{rs} to the end the same may be
reported for a speedy hearing, whereby the
Peti^{ti}on^r may have an abatem^t out of y^e latter
moyety of y^e ffyne for y^e sayd Rent Charges
& other out Rents, as also for such p^{te} of her
psonall estate as hath bin sold or disposed of.

"And she shall Ever pray, et.,

"Ap^l 22, 1654.

"*X* DERBY."

"It is referred to the Com^{mission}ers for
the Countie of Lancaster to Certifie,
& to Mr Brereton to report.

"R. M., R. W."

(First Series, Vol. xlviii., No. 1,466, fols. 231, &c.)

fo. 242. Petition from John Owen, of London, by which it appeared that petitioner had purchased from the trustees at Drury House the manor of Skelmardale, in the county of Lancaster, parcel of the possession of the then late Earl of Derby, and, amongst other things, a tenement leased for lives to one William Melling, but then in the possession of one Thomas Sutton. The lives in the lease being all dead, the tenement should have come to petitioner, but, as it was under sequestration for the recusancy of Sutton, petitioner could not obtain possession, and he therefore prayed for an order giving him possession (26 September, 1654).

fo. 231. Report in this matter by Mr. Reading. After tracing the devolution of the holding from the original lessee to Thomas Sutton, and reviewing the case generally, he submitted whether, upon the proofs adduced, they would find the said three lives dead (one of the witnesses testified to his knowledge of Jane Melling, of Whitston, one of the lives, and that she died before Christmas, 1652, at such time as the said town was visited with the plague, and he verily believed that she was not then living, for he was a near neighbour of hers; and after the said town was visited by the plague he never heard that she was living. Also that William Melling, some five years then ago, had gone to Ireland, and it was credibly reported he had died there. Deponent had never heard of his return thence, and believed he was dead), and if so whether petitioner should be permitted to enjoy the premises according to his purchase.

ff. 237-254. Other papers connected with the case.

(First Series, Vol. xcvi., No. 3,875, fol. 580.)

fo. 580. "Gentlemen,

"Wee have Received yo^r order of the 26th of ffebruarie last, on Behalfe of the children of the Earle of

Darbye, Requiring us to certifie whether any of the said Earle's children are in this County, and how many of them.

"In observance whereof, wee make Bold to certifie that there are twoe daughters of his now prisoners in the Garrison of Liverpoole, in this County, by Order from the Counsell of State, as wee are informed by Coll. Birch, Governo^r of the said Garrison. And that there are not any other of his children in this County to our knowledge.

"The Rest is the Best Respects of

"Yo^r most humble Servants,

"Preston, 21^o die
 Marcij, 1650[-1]."

(Signed) "ROBT CUNLIFFE,
 G. PIGOT."

(First Series, Vol. xix., No. 527, fol. 418.)

fo. 418. Petition of Charles, Lord Strange, Edward, & William, Henrietta, Mary, Katherine, and Amely, sons and daughters of James, Earle of Derby, which shewed that, by an order of the then late Committee of Lords and Commons dated 8th Sep., 1647, they were allowed a fifth part of their father's estate for their Maintenance & Education, and were paid regularly until the New Commissioners for Sequestrations were named in the Country, who demurred to the payment of the arrears in the Tenants' and Agents' hands; they prayed for an order authorizing the Commissioners to pay the said Arrears.

13 Aug., 1650. Ordered accordingly that the arrears since 24 Dec^r then last be paid, and the 5th part for the future.

(This petition is an original document, and appended are the autograph signatures of all the petitioners.)

(First Series, Vol. lix., No. 1,907, fols. 358, &c.)

fo. 358. "To the Hon^{ble} the Com^{rs} for Compounding wth Delinq^{ts}.

"The humble peti^{ti}on of Charles, L^d Strange,

"SHEWETH, That your peti^{ti}oner, after a long absence

from his native Country, having cast himselfe upon the wisdom and the mercy of the Parliament in order to his future Dispose and Condiçon, does here patiently attend their good pleasure, desirous as well to obedience and his good affection and loyalty to the Commonwealth, as to preserve some small ruines of his unhappy ffamily.

"That himselfe, his wife, childe, and ffamily are utterly destitute of meanes for a present livelyhood, all his father's Estate being either under sequestraçon or otherwise disposed of.

"That two of his sisters (as appeareth by the Certificates from the Com^{rs} of Lanc. retourned to this hono^{ble} Court) are prisoners in Liverpoole, where they have been restrained now theis 12 months without any allowance at all from their ffather's estate, so that they have not a morsel of Bread, but from the Charity of Neighbours who keepe them from starving. That neither yo^r petr, his Brothers or Sisters, or any of them, did ever in anything offend against the Parliam^t, but have constantly behaved themselves with all humility and thankfulness for the Clemency and ffavour shewed them. That without the Commiseration and releife of this hono^{ble} Cor^t yo^r petr his wife, child, & sisters must fall into present and inevitable misery.

"Wherefore hee humbly prayes that theire Hono^{ble} Com^{rs} will restore that small part of ye 5th p^t, formerly allowed to himselfe & Sisters for their support & maintenance according to the mercy of Parliam^t, to the children of all other Delinquents, w^{ch} said 5th part wil be a very smale Revenue, considering that a £1,000 a yeare of their father's estate is given to Coll. Martin, £600 a year settled upon the Lady Lincolne, & £100 a yeare upon y^e Lady Vere Carr, & other parcells otherwise disposed, out of w^{ch} they never had any share at all.

"Or els hee humbly prayes that you wil be pleased to allott them such a proportion to be

paid by Mr Peter Ambrose, Agent for Sequestracons in Lanc^r, as in yo^r wisdom and favour you shall thinke fitt for the maintenance & Education of soe many distressed Children.

"And yo^r pet^r shall pray, et,

(Signed) "STRANGE."

"28 May, 1651."

"Res:

"That upon the Pet^r bringing a Cert: of his good affec^{on}, &c., from Sir W. Brereton & L^t-Gen^l Fleetwood (hee having this day taken the engagement) that he have and bee allowed hereby 2 . 5th pts of ye 4 pts yet undisposed of."

fo. 361. The certificate of Sir W. Brereton and Lieutenant-General Charles Fleetwood.

fo. 363. A second petition, referring to the allowance granted above, which appears to have been the two fifth parts of the remaining four parts of that fifth part then formerly allowed to petitioner, his brothers and sisters, and only enjoyed while and during that allowance by them who have been in England. Petitioner during all his travels had never received any portion of the said fifth part, and in consequence towards the latter end of his forced exile, he had been in extreme necessity.

He, therefore, added to his prayer this, that they would grant him, his wife, and child, the house, park, and manor of Knowsley, and all belonging thereto, as part of that fifth part which had been allowed to him, his wife, and child. This petition was granted with certain conditions, namely, that the issues did not amount to more than the fifth then already allowed to the Countess of Derby. That the Council of State approved of Lord Strange dwelling there, and that the place had not been then already let.

(First Series, Vol. xix., No. 527, fols. 419, &c.)

fo. 419. Motion on behalf of Charles, Earl of Derby.

It appears by an order made 18 June, 1651, upon his

petition, permission was given to him (as Lord Strange) to enjoy the manor and park of Knowsley, and to receive the profits thereof to his own use (if the same did not exceed two parts of a fifth part), and that he should have the arrears from 23 July, 1650, being the time when the fifth part was taken away from the children of the then late Earl of Derby. He now prayed that he might receive the arrears of the said two fifths from the estate (lying in several counties), subject to being audited by their own auditor. This prayer was refused (10 December, 1651).

fo. 421. Order, dated 18 June, 1651, addressed to the Lancashire Commissioners, directing them to permit Charles, Lord Strange, to enjoy the park and manor of Knowsley, co. Lancaster, if the same did not exceed two parts of the fifth part allowed to the Earl of Derby's children; and that the Right Honourable the Council of State should approve of his dwelling there, if the same were not already let by the Lancashire Commissioners. If let, petitioner to take the rent; if the same were not in lease or let, possession to be delivered to petitioner, and he to have the arrears from the 23rd July, 1650. (Copy.)

fo. 422. Petition from Charlotte, relict of James, Earl of Derby, which shewed that the manors of Knowsley, Bury, Pilkington, Brightmede, Holland, Halewood, Sowerby magna and Sowerby parva, in the county of Lancaster; and of Bidston, Marlesfield, and Wildbere Clough, co. Chester; Thirsk, Kerby Malzard, Burton-in-Lonsdale, and Mewith, county of York; and divers other lands mentioned in an indenture tripartite, enrolled in Chancery, dated 1 June, 4 Charles I. [1628], were thereby limited to petitioner for life as her jointure.

That, in pursuance of the agreement made upon the marriage of petitioner with her then late husband, whereby £24,000 payable for her portion was to be laid out in purchase of lands, and conveyed to the then late Earl of Pembroke and other trustees, for the use of petitioner's husband and herself and the heirs of their two bodies, and

in default to such persons as petitioner should appoint by several conveyances, dated 25 March, 4 Charles [1629]; 28 May, 5 Charles [1629]; 17 June, 5 Charles [1629]; 18 September, 6 Charles [1630]; 11 December, 6 Charles [1630] (all enrolled in Chancery); and other pursuant conveyances, the manors of Goosenargh and Chippin, in Lancaster county; of Overton, Madock, Bangor, and Malor's Saesneck, with the advowson of the church of Bangor, in the county of Flint; the manor and lordship of Eynsham, in the county of Oxford; and the rectory of Ormeskirk, and the tithes of Newburgh, Beckerstaffe, and Scaersbrick, and other lands and hereditaments in the said conveyances mentioned having been purchased with part of her portion, were conveyed to the then late Earl of Pembroke and other trustees upon the trusts aforesaid, whereby petitioner had a right and equitable estate to her and the heirs of her body begotten by her said late husband.

That her husband's estate being one of the estates forfeited by the Act and to be sold, she had put in her claim before the Committee appointed for removing of obstructions in the sale thereof, and she claimed an allowance of her respective estates and interests aforesaid, and, as the same had been allowed by the Committee for Removing Obstructions, she prayed that the sequestration should be discharged (27 January, 1651[-2]. Referred to Mr. Brereton to report.

(There is an autograph signature to this petition.)

fo. 424. Petition, referring to an order of 17 June, 1652, based on Mr. Brereton's report. The Commissioners had allowed her claim and had ordered the discharge of the premises from sequestration, but, as the Lancashire Commissioners had not found the word "Tithes" particularly mentioned in the said order or report (although included in the general words), had stopped the tithes of Holland, part of her jointure, pending further orders from the Commissioners above. She prayed for the appointment of

counsel to peruse the deed, and, if her title was sustained, an order to receive the said tithes to her use (no date or decision at foot).

fo. 426. Similar petition dated 29 September, 1652; order made 24 November, 1652, granting the prayer.

ff. 427-433. Report of Mr. Brereton (23 March, 1651 [-2]) on the petition above, giving in detail the particulars of the different instruments referred to. The first was dated at the Hague the 4th July, 1626, and made between James (then Lord Strange), late Earl, of the one part, and Lady Charlotte and her mother, the Duchess of Tremoville, of the other, in the presence of the King and Queen of Bohemia, and other great personages. A contract of marriage was concluded between the said James, Lord Strange, and the Lady Charlotte, and it was agreed she should bring £24,000 with her as a portion. This document proceeds to describe the subsequent instruments, naming all the persons interested as principals and trustees, and describing minutely the properties settled as her jointure.

fo. 436. Order, referring the case to Mr. Brereton.

ff. 437-8. Petition (copy).

fo. 439. Affidavit of Robert Carr, gentleman, who deposed that he, searching for enrolled deeds in the Chapel of the Rolls on the behalf of Charlotte, Countess of Derby, found one indenture tripartite, made the 1st day of June, in the fourth year of the late King Charles [1628], between the Right Honourable William, Earl of Derby, of the most noble Order of the Garter, knight, and the Right Honourable James, Lord Strange, son and heir apparent of the said Earl, and the Right Honourable Lady Charlotte, his wife, one of the daughters of the Right Honourable Claude de la Tremoville, Duke de Touars, within the kingdom of France, deceased, of the first part; the Right Honourable Sir Edward Coke, of Godwick, in the county of Norfolk, knight, and Sir Ranulph Crewe, of Crewe, in the county of Chester, knight, of the second part; and Sir Thomas Posthumus Hoby, of Hacknes, in the county of York, knight, and Sir Henry Vane, of Westminster, in

the county of Middlesex, knight, of the third part. And one indenture made the 10th day of June, in the fourth year of the late King Charles, between the Right Honourable William, Earl of Derby, of the most noble Order of the Garter, knight, and the Right Honourable James, Lord Strange, son and heir apparent of the said Earl, on the one part; and Sir Thomas Posthumus Hoby, of Hackness, in the county of York, knight, and Sir Henry Vane, of Westminster, in the county of Middlesex, knight, on the other part. And one other indenture tripartite, made the 25th day of March, in the fourth year of the late King Charles [1629], between the high and illustrious Princess Charlotte, Duchess Dowager of Tremoville and of Towars, on the first part; and the Right Honourable James, Lord Strange, son and heir apparent of the Right Honourable William, Earl of Derby, Viscount Kinton, Lord of the Isle of Man, Baron Stanley and Strange, of Knocking, and Knight of the most noble Order of the Garter, and of the Right Honourable Elizabeth, late Countess of Derby, his wife, eldest daughter of Edward, Earl of Oxford, great Chamberlain of England, and Knight of the said noble Order of the Garter, deceased, and the most noble Lady Charlotte, his wife, daughter of the most high and mighty Prince Claude, Duke of Tremeville and Towars, deceased, and of the said Duchess, on the second part; and the Right Honourable William, Earl of Pembroke, Lord Herbert, of Cardiffe, Lord Parr and Rosse, of Kendall, Lord Marmion and Saint Quintin, Lord Warden of the Stannaries, within the counties of Devon and Cornwall, captain and governor of his Majesty's town and castle of Plymouth, and of the Isle of Portsea within the county of Southampton, Chancellor of the University of Oxford, Lord Lieutenant of the counties Somersett, Wiltes, Cornwall, and Bristole, Lord Steward of his Majesty's household, Knight of the most honourable Order of the Garter, and one of his Majesty's most honourable Privy Counsel, Phillip, Earl of Montgomery, Baron of Shurland, Lord Chamberlain of his Majesty's household, Knight of the most noble Order of

the Garter, Lord Lieutenant of the county of Kent, and one of his Majesty's most honourable Privy Counsel, Sir Ranulph Crewe, of Crewe, in the county of Chester, knight, and Sir Thomas Posthumus Hoby, of Hackness, in the county of Yorke, knight, persons nominated and chosen indifferently and equally by the said Lord Strange and Lady Charlotte to be the present Commissioners and parties trusted for the purposes hereafter mentioned, that is to say, the said Earl of Montgomery and Sir Ranulph Crewe nominated and appointed by the said Lord Strange, and the said Earl of Pembroke and Sir Thomas Posthumus Hoby nominated and appointed by the said Lady Charlotte, on the third part. And one indenture made the 28th May, five late King Charles [1629], between the Right Honourable William, Earl of Pembroke, Lord Steward of his Majesty's household, Phillip, Earl of Montgomery, Lord Chamberlain of his Majesty's household, Sir Ranulph Crewe, of Crewe, in the county of Chester, knight, and Sir Thomas Posthumus Hoby, of Hacknes, in the county of York, knight, of the other part. And one other indenture made 28 May, five late King Charles, between the Right Honourable William, Earl of Pembroke, the Right Honourable Phillip, Earl of Montgomery, Sir Ranulph Crewe, and Sir Thomas Posthumus Hoby, of the one part; and the Right Honourable James, Lord Strange, of the other part. And one indenture made 17 of June, five Charles I. [1629], between the Right Honourable William, Earl of Pembroke, Phillip, Earl of Montgomery, Sir Ranulph Crewe, and Sir Thomas Posthumus Hoby, knight, of the other part [*sic*]. And one indenture made 18 of September, six King Charles [1630], between the Right Honourable William, Earl of Derby, and the Right Honourable James, Lord Strange, of the one part; and the Right Honourable Phillip, Earl of Pembroke, the Right Honourable Henry, Viscount Kensington, Earl of Holland, Sir Ranulph Crewe, knight, and Sir Thomas Posthumus Hoby, knight, of the other part. And one indenture made the 11th December, six. Charles I. [1630], between the Right Honourable

James, Lord Strange, and the Right Honourable Phillip, Earl of Pembroke, the Right Honourable Henry, Earl of Holland, Sir Ranulph Crewe, knight, and Sir Thomas Posthumus Hoby, knight, of the other part; all which several deeds mentioned are enrolled and remaining in the said Chapel of the Rolls aforesaid, 13 February, 1651[-2] (sworn before the Commissioners).

fo. 443. Affidavit (sworn before the Commissioners March 2nd, 1651[-2]), of Charlotte, Countess Dowager of Derby, making oath that she had not released her right to any of manors or any of the premises, nor done any act to her knowledge to extinguish or bar herself to any of them settled upon her as her jointure.

(First Series, Vol. xix., No. 527, fols. 404, &c.)

fo. 404. Petition of the Earl [Charles] of Derby (by Tho. Turner) desiring that he might be heard upon an order of 21 July, 1652.

"11 Aug., 1652.

"Upon reading the order of the 21th July, 1652, and y^e Auditors' Certificate, *it is ordered* that the Treãrs do pay unto his Lor^p forthwith the sume of £100 in pte of y^t proporc^on of y^e fifth of the Estate of y^e late Earle his father form^rly ordered to him."

"A tre to y^e Com^{rs} not to allow any pte of a fift to y^e old Countess, nor to any other of y^e children wthout Speciall orders."

fo. 406. Petition of Lord Derby desiring to be heard by counsel, touching the proportioning the allowance "of the fift Pr: allowed to y^e wife & Children of y^e late Earle."

fo. 407. Letter from the Earl of Derby, August 11th, 1652, stating the amount he had received from the Lancashire Commissioners.

(First Series, Vol. xix., No. 527, fols. 445, &c.)

fo. 445. Contract for purchase of the manor of Upton in the county of Chester, late parcel of the estate of the

Earl of Derby, by William Steele, Esq., Recorder of the City of London (21 December, 1653).

fo. 447. Whereas, in pursuance of the (then) late Act for sale of lands, &c., whereby the trustees were appointed to convey to Margaret, relict of Coll. Tho. Rainsborough deceased, and to William Rainsborough, Esq., son of the said Thomas and Margaret, out of the said lands and estates, &c., to the value of £3,000, at the rate of ten years' purchase for lands in possession and for lands in reversion proportionably, John Wildman, Esq., on behalf of the said Margaret and the said William, on the 14th September, 1653, contracted to purchase of the said trustees the manors of West Derby and Trayles, with all the rents, royalties, lands, tenements, hereditaments, rights, &c., to them belonging, late parcel of the estate of James, late Earl of Derby. . . .

Through an error of date, December having been mistaken for September, the contract was not then completed, but the above document contains an order to the Lancashire Commissioners to permit the purchasers to take the rents according to the contract.

fo. 449. 14 July, 1653. Similar contract, but terms not mentioned, for sale of the manor of Boulton, with its appurtenances, to Jefferie Ellatson, gentleman, parcel of the estate of the Earl of Derby.

fo. 451. Similar contract (16 September, 1653) for sale of two tenements in Liverpool (known by the name of the Tower) in the occupations of Alexander Greene and Ralph Massam or their assigns, parcel of the estate of the Earl of Derby.

fo. 453. 2 December, 1653. In pursuance of several "Resolves" of Parliament dated 1 August, 1653, confirmed by an Act of Parliament dated 18 November, 1653, the trustees were required to convey to Charles, then Earl of Derby, and his heirs for ever (out of such part of the estate of James, then late Earl of Derby, the said Earl's father, as remained unsold), lands of inheritance of the clear yearly value of £500, they in pursuance on the 16th

September, 1653, contracted with the said Earl for all the messuages, lands, and tenements within the manor of Lathom (except the manor, royalties, capital messuages, and demesne of the said manor), and one messuage called Crossehall and the land thereunto belonging, then or then lately in the tenure of Sir Thomas Stanley, a tenement in the tenure of William Bowers, another in the occupation of Anne Holland, two others in the tenure of John Wickliffe, one in the tenure of Richard Haughton, one in the tenure of Tho. Wainwright, and two in the tenure of Thomas Sefton, and for the manor of Upholland, with all its rights, members, &c. (except several lands and tenements in the tenures of Richard Smalshaw, William Bower, and Edward Fleetwood, his or their assigns). The conveyance being then ready, it was ordered that the Committee for Compounding at Haberdashers' Hall be desired to give instructions to the Commissioners of Sequestrations for the County of Lancaster that they permit the said Charles, Earl of Derby, or his assigns, quietly to enjoy the premises, and to receive the rents, &c.

fo. 455. Contract for purchase of a messuage and lands, parcel of the estate in the manor of Bury, by Edward Ratcliffe, gentleman, and parcel of the estate of the Earl of Derby (3 October, 1653).

fo. 457. Contract for the purchase of the manor of Bidstone, county of Gloucester, by John Manley, citizen and skinner of London, parcel of the estate of James, Earl of Derby. The purchaser assigned his contract to William Steile, Esq., Recorder of London (23 June, 1653).

fo. 459. Contract for purchase of parcel of the manor of Raynford, co. Lancaster, late parcel of the estate of James, Earl of Derby, by John Wildman, Esq., namely, the tenement with the lands thereunto belonging in the occupation of Mary Lathom, widow, or her assigns (24 January, 1653[-4]).

fo. 461. Contract by John Parr, of Rainford, gentleman, for the purchase of several messuages and lands within the manor of Rainford, late the estate of James, Earl of Derby,

then in the tenures of William Sefton, William Tarleton, Edm. Tunstall, Henry Roby, Richard Woods, John Plumb, Edm. Barnes, Edw. Breck, Edw. Lyon, P—— Parr, John Parr, John Birchall, John Parker, and '—— Berry (16 September, 1653).

fo. 463. Contract by John Crosse, yeoman, for the purchase of a messuage and land and mosse ground in Sowerby, late parcel of the estate of James, Earl of Derby (24 August, 1653).

fo. 465. Contract by John Ellatson for the purchase of several messuages and lands in Liverpool in the occupation of Elizabeth Chambers, Cicely Roughly, Edward Bankes, Ellen Smith, John Wood, Thomas Ratcliffe, Elizabeth Chambers, Henry Crane, Jane Nicholson, Margaret Bannister, and Robert Johnson, or their assigns, parcel of the estate of James, Earl of Derby (24 December, 1652).

fo. 467. Contract by Edmund Parr, gentleman, for the purchase of several tenements and lands within the manor of Rayneford in the occupations of James Collier, Edmund Parr, and Henry Roby, parcel of the estate of James, Earl of Derby (28 September, 1653).

fo. 469. Contract by Thomas Roswell, gentleman, for the purchase of, on behalf of the Countess of Lincoln and Charles and James Stanley, Esqs., her sons, of the manor of Northwich, with the lands, &c., belonging, situated in the county of Chester, parcel of the estate of the Earl of Derby (23 June, 1654).

fo. 471. Contract by John Naylor, gentleman, for the purchase of several messuages, lands, and tenements in the manor of Rainford, in the parish of Prescott, in the occupation of William Bershall, Edw. Parr, and Henry Roby, part of the estate of the Earl of Derby (16 September, 1653).

fo. 473. Contract relating to the one given on folio 447.

fo. 475. John Fullarton, Esq., on the 29th October, 1652, contracted to purchase from the trustees all the remains of the manor of Raynford then remaining unsold, that is to say, the rents and royalties of the said manor,

and all those several messuages, lands, tenements, &c., namely, a tenement or cottage with one parcel of arable land in the then occupation of James Winstanley; a tenement or cottage and a parcel of moss ground belonging in the occupation of Daniell Sephton; another cottage encroached from the common or waste ground in Raynford, and a garden in the occupation of John Clythero; another cottage and a small encroachment thereto belonging in the occupation of George Lyon, junior, and two parcels of common or waste land in the tenure of Humphrey Edleston, and a barn with an encroachment and part of a yard in the tenure of John Tunstall; a parcel of ground in the occupation of Richard Wood; a tenement with a smith's shop and a piece of ground in the occupation of John Nayler; another tenement with a garden and piece of heath ground in the occupation of Henry Callen; two parcels of moss ground in the occupation of William Holt; another piece of moss ground in the occupation of Thomas Sephton; a tenement in the occupation of George Bridge; also another in the tenure of James Chawner; a parcel of moss ground in the occupation of Thomas Litherland; also a piece of ground in the occupation of James Anderton; a messuage and two closes of moss ground in the occupation of Thomas Grayson; a messuage, cottage garden, and a piece of moss ground and other parcels called "Thickwood Mosse," in the occupation of John Naylor; another piece called the Entry [?] land in the tenure of Evan Eaton; and also all that messuage or tenement with the site thereof in the occupation of Edmond Bispham, a cottage with a parcel of course moss ground in the occupation of Edward Lyon; three closes of land in the occupation of John Barnes; a parcel of moss ground whereon there is a smith's shop and one shippoon lately erected in the occupation of John Borrington; a cottage in the occupation of Mary Ashton; two parcels of ground improved out of the waste in Rayneford in the occupation of William Holland; two other pieces of moss ground in the occupation of William Bispham, and

all that tithebarn situated near the tenement of David Ellettson; and also "all y^t y^e Wast or Comon mosse and Turbary, with y^e appurteñces belonging to y^e Mannor of Raineford, whereof y^e tenants, by virtue of their Lease, have Turbary conteyning by estimaçon in y^e whole seaven hundred and sixty acres; and also all that other messuage or tenement, with several parcels of land, in the tenure of John Raynford, his assign or assigns; another tenement in the occupation of William Bispham, and a barn with several parcels of land and moss ground in the occupation of William Gaskell; another messuage with the site thereof and land in the tenure of John Cropper; another in the occupation of Peter Naylor; a tenement or cottage, with a croft and "Mossey" arable land, in the occupation of Robert Birchall; another, with a close called the "Moss Close," in the tenure of Jane Tunstall; another, with several closes of pasture with moss ground, in the occupation of William Sephton; one room or work house with part of a croft and hemp yard belonging, several pieces of pasture ground, heath, and moss ground, in the occupation of James Lyon; another in the tenure of George Lyon; another tenement, with moss ground belonging, in the occupation of Henry Berchall or James Hey or their assigns; and all other those pieces or parcels of arable lands and moss ground thereto belonging formerly in the occupation of William Hide, but then in the occupation of James Hey; and three closes of arable land called "Mosse Closes," with a piece of heath ground, in the occupation of William Holt; a tenement and parcel of ground in the occupation of Charles Worsley; a parcel of land in Billing, called Stanley Holt, in the occupation of Humphrey Roby, or his assigns; all lying within and parcel of the manor of Rainford, late parcel of the estate of James, late Earl of Derby. Order to Lancashire Commissioners to allow purchaser to take possession and receive the rents, &c. (24 February, 1652[-3]).

fo. 479. Contract by William Aspinwall, gentleman, to purchase a fee farm rent of £3. 2s. 10d., payable yearly

out of a tenement in the manor of Trayles, in the occupation of Jerebiah [*sic*] Aspinwall, Esq., and out of certain tenements in Westham, late parcel of the estate of James, late Earl of Derby (24 December, 1652).

fo. 481. The greater part of this document missing, but

fo. 482. on the back of the portion remaining, "Mr Holt's order to take off y^e sequestraçõn."

fo. 483. Contract by Alexander Holt, Esq., to purchase several messuages, lands, and tenements in the manor of Burscough (except the quit rents and royalties and capital messuage, amounting in all to £58. 11s. 2d. per annum, the lands and tenements in the occupations of Ann Marke and Margaret Board, not mentioned in the particular made forth for the same), parcel of the estate of James, Earl of Derby (12 January, 1653[-4]).

fo. 485. Contract by Nicholas Browne, yeoman, for the purchase of two messuages situate in Great and Little Sowerby, then or late in the occupations of Richard Hardacre and John Swan or their assigns, parcel of the estate of James, Earl of Derby (2 August, 1653).

fo. 487. Contract by Edward Stockley, gentleman, to purchase several messuages and lands, with their appurtenances, in the manors of Little Woolton, Much Woolton, and Halewood, in the tenure of Henry Orme, John Barrow, Amy Shallover, Katherin Brettergh, John Alcocke, and William Plombe, or their assigns, parcel of the estate of James, Earl of Derby (8 August, 1653).

fo. 489. Contract by Walter Moncke, taylor, for the purchase of a tenement and a close of land in the manor of Burscough and parish of Ormskirk, in the then tenures of Anne Moncke *alias* Swift, and Walter Moncke, her son, parcel of the estate of James, Earl of Derby (20 July, 1653).

fo. 491. Contract by Thomas Leigh, gentleman, for the purchase of several messuages and lands within the manor of Lathom, in the occupations of John Wickliffe, Richard Houghton, Thomas — and Thomas Wainwright, or their assigns, parcel of the estate of James, Earl of Derby. (20 July, 1653).

fo. 493. Contract by George ffarwell, Esq., for the purchase of several messuages with their appurtenances, parcel of the manors of Weeton, Plumpton, and Weston, in the tenures of Roger Threlfall, John Barrow, Richard Kirby, Thomas Cooper, and Katherine Dobson, or their assigns, parcel of the estate of James, Earl of Derby (10 August, 1653).

fo. 495. Contract by Robert Holt, Esq., for the purchase of a messuage with lands, &c., parcel of the manor of Weeton, in the tenure of Laurence Worthington or his assigns, parcel of the estate of James, Earl of Derby (13 July, 1653).

fo. 497. Contract by Thomas Harrocke, gentleman, for the purchase of several messuages and lands, parcel of the manor of Little Woolton, in his own occupation, parcel of the estate of the Earl of Derby (18 August, 1653).

fo. 499. Contract by John Broughton, gentleman, to purchase several messuages and lands in Little Woolton and Childwall, in his or the occupation of his assigns, parcel of the estate of James, Earl of Derby (18 August, 1653).

fo. 501. Similar contract by same party for lands in his own occupation and the occupation of Margery Gill, in Little Woolton, parcel of the estate of James, Earl of Derby (18 August, 1653).

fo. 503. Contract by George Hurd [?] and George Leafe for the purchase of a capital messuage or manor house and lands, with a windmill and appurtenances, in the parish of Childwall, in the occupation of Isabell Braughton or her assigns, parcel of the estate of James, Earl of Derby (19 August, 1653).

fo. 505. Contract by Gilbert Mabbott, Esq., for the purchase of the manor of Weeton, with the rights, members, &c., thereof, as also several messuages in the occupations of William Townsend, Thomas Dobson, Thomas Boulton, Thomas Rainford, John Thistleton, Cuthbert Harrison, . . . John Bell, John Williamson, John Townend, Richard Nixon, Andrew Lewthy, Elizabeth Reyley, Robert Bonney, John Johnston, Richard Cowbaine, James Eccleston, Richard

Ellston, Richard Barnes *alias* Weeton, Leonard Lewthey, James and Isabell Townehead, William Weeton, Thomas Browning, William Brinning, their or some of their assigns, being parcel of the manor of Weeton and of the estate of James, Earl of Derby (19 August, 1653).

fo. 507. Contract by same for purchase of messuages lying in Elswick, in the parish of St. Micaell-upon-Wyer, in Methoff, in the parish of Kirkham, and in Barnaker, in the parish of Garstang, in the occupations of William Boulton, Thomas Rainfor, Richard Bond, George Johnson, Christopher Smith, John Westby, William Gradell, Hugh Haughton, Jennett Tomlinson, and Jane Carter, their or some of their assigns, parcel of the estate of James, Earl of Derby (24 August, 1653).

fo. 509. Contract by William Cockett, gentleman, to purchase several messuages in the manor of Little Wolton, in the occupations of William Cockett, Thomas Woodward, and Thomas Broughton, their or some of their assigns, parcel of the estate of James, Earl of Derby (18 August, 1653).

fo. 511. Contract by Henry Nevile and Anthony Samwell, Esqs., to purchase the manor, royalties, demesnes of Latham and Childwall, Burscough, Much Woolton and Little, in all their rights, members, and appurtenances, parcel of the estate of James, Earl of Derby (5 August, 1653).

fo. 513. Contract by Robert Holt, of London, merchant, for the purchase of several messuages and lands in Alston, in the parish of Ribchester, in the occupations of George Harrison, John Sharples, Richard Willsbrough, William Turner, William Sanderson, Eyppin and Samuel King, parcel of the estate of James, Earl of Derby (24 December, 1652).

fo. 515. Contract by Thomas Wharton for the purchase of several messuages in the "Severall fforrest" of Macclesfield, county of Chester, parcel of the estate of James, Earl of Derby.

fo. 517. Contract by Rich. Whitehead and Ralph

Longworth for the purchase of several messuages, lands, &c., lying in the parish of St. Michael and township of Sowerby, in the occupation of Barth. Jackson, Dorothy Gaunt, Henry Latham, and Thomas Knowles, parcel of the estate of James, Earl of Derby (17 May, 1653).

fo. 519. Contract by John Owen, of London, Esq., for the purchase of several messuages, &c., in the manor of Bispam, in the occupation of John Patrick, Rich. Worthington, James Ashton, Robert Wawen, Robert Anderton, Alice Latham, Gilbert Burscough, Humphrey Nelson, Edw. and Richard Bouker, Ralph Wofall, William Tomson, Thomas Miller, John Prescott, Robert Stanmough, Edw. Smith, Hugh Whaley, Margaret Tomson, Alice Latham, Bryan Morris, Hugh Miller, and Edw. Dickenson, parcel of the estate of James, Earl of Derby.

fo. 521. Contract by George ffarwell, Esq., for purchase of the manor of Skellmersdale, with the appurtenances, in the county of Lancaster, and several copyhold rents due from copyholders of the townships or hamlets of Whickham, Selecroft, Bottle, Corney (in the county of Cumberland), and other lands and mills in the latter county, parcel of the estate of James, Earl of Derby (3 May, 1653).

fo. 523. Contract by Thomas Groulley for purchase of several messuages in Cheshire, parcel of the estate of James, Earl of Derby (5 June, 1653).

fo. 525. Contract by William Bower, gentleman, for purchase of several closes or pastures of meadow ground lying within the manor of Lathom, parish of Ormskirk, then in the tenure of purchaser, parcel of the estate of James, Earl of Derby (16 May, 1653).

fo. 527. Contract by Edward Lee, Esq., for purchase of the manor of Broughton, with lands, &c., belonging, parcel of the estate of James, Earl of Derby (26 May, 1653).

fo. 529. Contract by Samuella ffoxley, gentleman, for purchase of a messuage called Swarbroke, with the lands, &c., appurtenant, lying within the manor of Weeton, parcel of the estate of James, Earl of Derby (26 May, 1653).

fo. 531. Contract by James Wainwright for the purchase of the manor of Ormeskirke, with its appurtenances, parcel of the estate of James, Earl of Derby (25 March, 1653).

fo. 533. Contract by Charles Worseley, Esq., for purchase of a messuage or tenement, with the appurtenances, lying and being in Salford, in the manor of Pilkington, in the occupation of Katherine Cranage, widow, parcel of the estate of James, Earl of Derby (13 March, 1652[-3]).

fo. 535. Contract by Jeffrie Ellatson and Richard Rigby, Esqs., for the purchase of the manor of Bretherton, with its rights, members, and appurtenances, parcel of the estate of James, Earl of Derby (24 March, 1652[-3]).

fo. 537. Contract by Charles Worseley, Esq., for purchase of the manor of Bolton, with the lands, &c., appurtenant, and of a fee farm rent of £13. 9s. 6d. a year, issuing out of the manor of Haliwell, parcel of the estate of James, Earl of Derby (17 February, 1653[-4]).

fo. 539. Contract by James Smith, gentleman, for the purchase of a capital messuage and lands called Methop, lying in the manor of Weeton, parish of Kirkham, parcel of the estate of James, Earl of Derby (19 April, 1653).

fo. 541. Contract for purchase by Chre. Parker, gentleman, of a messuage and lands called Brodkirke, lying in the manor of Medler-cum-Wesham, in the occupation of purchaser, parcel of the estate of James, Earl of Derby.

fo. 543. Contract for purchase by James Fletcher of a messuage lying in the manor of Bretherton, parish of Croston, parcel of the estate of James, Earl of Derby (16 February, 1652[-3]).

fo. 545. Contract for purchase by James Wainwright of mills and lands, &c., in Westmoreland, parcel of the estate of James, Earl of Derby (2 February, 1652[-3]).

fo. 547. Contract for purchase by Doctor Henry Wilkinson of the manor of Bispham, with several messuages, being the demesnes of the said manor, in the several occupations of Richard Duckenfeld, Rich. Draper, Marie Durneing, and John Stopforth, parcel of the estate of James, Earl of Derby (29 January, 1652[-3]).

fo. 549. Contract for purchase by Richard Haworth, Esq., of a messuage or farmhouse situate and being in Manchester, in Millgate Street there, parcel of the estate of James, Earl of Derby (29 January, 1652[-3]).

fo. 551. Contract by Robert Fisher and George Waller (who assigned same subsequently to Captain Blunt Sadler, Esq.) for purchase of the manor of Bethome and lands in the county of Westmoreland, parcel of the estate of James, Earl of Derby (30 December, 1652).

fo. 553. Contract by Humfrey Kelsall, gentleman, for purchase of two messuages and lands lying in Cleatham, in the manor of Pilkington, parcel of the estate of James, Earl of Derby (15 February, 1652[-3]).

fo. 555. Contract for purchase by Mr. Thomas Barlowe of several messuages and lands in the county of Lancaster, then or late in the occupation of Richard Barlowe, parcel of the estate of James, Earl of Derby (21 June, 1652).

fo. 557. Contract for purchase by James Ferrer, gentleman, of a messuage in the parish of Croston in his own occupation, parcel of the estate of James, Earl of Derby (7 January; no year).

fo. 559. Contract for purchase by John Cliffe, gentleman, of two tenements, with lands belonging thereto, in the county of Lancaster, in occupation of purchaser, parcel of the estate of James, Earl of Derby (6 January, 1652[-3]).

fo. 561. Contract for purchase by Coll. Thomas Birch of two messuages and several closes of pasture with a water grist mill called by the name of Travis Mill, with the appurtenances, in the manor of Pilkington, in the hamblett of Chetham, in the occupation of Thomas Gardner and Jeffrie Elliotson, parcel of the estate of the Earl of Derby (22 June, 1652).

fo. 563. Contract by Chre. Crosfield, yeoman, for purchase of the manor of Witherslacke, county of Westmoreland, parcel of the estate of James, Earl of Derby (29 December, 1652).

fo. 565. Contract for the purchase by John Crosthwaite and Roger Greggs of the manor of Basson[thwaite], &c., in

the county of "Comberland," parcel of the estate of James, Earl of Derby (10 December, 1652).

fo. 567. Contract for purchase by Sir John Trevor, Coll. George Twisleton, and Nathaniel Andrewes, gentlemen, for the purchase of the manor of Mould, late parcel of the estate of James, Earl of Derby (12 December, 1652).

fo. 569. Contract by William Claxton, gentleman, for purchase of Bethom Hall, in the county of Westmoreland, part of the manor of Bethom, then occupied by Anthonie Duckett, parcel of the estate of James, Earl of Derby (14 December, 1652).

fo. 571. Contract by John Wood, of Coventrie, gentleman, for purchase of the manor of Meriden, with the lands, &c., in the county of Warwick, parcel of the estate of James, Earl of Derby (28 September, 1652).

fo. 573. Contract by Robert Coytmore, Esq., for the purchase of the Coalepitts of Nannt Maner in the Lopp of Mould, co. of Flint, and all other the Cole Mines, Cole pitts, and Mines of Leade, and Clay Pitts, within the Lordships and Mannors of Hawarden, Mould, and Hope in the said county, parcel of the estate of James, Earl of Derby (28 September, 1652.)

fo. 575. Contract for purchase by Andrewe Ellis, Esq., of the manor of Hawarden, *alias* Harden, with the lands, &c., appurtenant, parcel of the estate of James, Earl of Derby; "he hath ioyned with him in the prosecution of the said contract Sir John Trevor, Knight, and Collonell George Twisleton, Esq." (25 September, 1652).

fo. 577. Contract for purchase by Joshua Hodgkis of a shop with a chamber and garret lying in the market place in the town of Northwich, county of Chester, in the occupation of Daniel Radford, and one salthouse in the High Street of Northwich aforesaid, in the occupation of William Leftwich, and another salthouse in the "Yate" street of Northwich in the same person's occupation, parcel of the estate of James, Earl of Derby (29 July, 1652).

fo. 579. Contract for purchase by Samuel Blackleck,

gentleman, of several messuages and houses, parcel of the manor of Macclesfield and Hundsfield, county of Chester, parcel of the estate of James, Earl of Derby (24 January; torn off).

fo. 581. Contract for purchase by Andrew Ellis, Esq., of the manor of Hope (otherwise Queen Hope, otherwise Estin), in the county of Flint, parcel of the estate of James, Earl of Derby (27 August, 1652).

William Cavendish, 3rd Earl of Devonshire.

(First Series, Vol. c., No. 4,040, fols. 461, &c.)

fo. 467. Letter dated at Preston, 2 July, 1651, mentioning that, upon perusal of the papers of the then late Committee remaining in their hands, they found that by an ordinance of Parliament of the 10th December, 1645, the estate of the Earl of Devonshire, contained in a schedule dated 19 November, 1645, was discharged from sequestration, and a copy of the said ordinance coming to the hands of the said Committee with a particular of the Earl's estate in the county of Lancashire annexed, in which particular, among other things, it was expressed that he compounded for leases upon Brindle for three lives, afterwards improvable to about £200, the said Committee discharged the sequestration, but, afterwards, upon information being given that he had received the sum of £900 for two tenements only, the same Committee gave orders to secure so much of the fines as exceeded £200, and after that, upon a certificate from some members of Parliament who represented Lancashire that the particular aforesaid was wrong, and that in the particular remaining with the Clerks of the Parliament it was £200 per annum, they again freed the same, and the Commissioners below finding the same discharged, and having received information that the Earl or his agents had received considerable sums of money far exceeding the £200, they gave an order to secure all that exceeded £200, whereupon the Earl's agents produced two

certificates, one under the hands of Mr. Elsyinge, then late Clerk of the Parliament, and deposed to before a Master in Chancery, and the other under the hand of Mr. Schobell, the then present clerk (copies enclosed), wherein it is expressed that the Earl compounded for leases upon Brindle improvements to about £200 a year, but as the particular upon their file was only £200, and not £200 a year, they thought it their duty to certify the Commissioners above, and to desire their resolution whether the sequestration might be discharged upon those certificates, or whether it should continue till further orders.

fo. 461. Copies of the certificates referred to above.

fo. 463. A request to rectify the error created through the difference in the money mentioned in the certificates, and that the moneys taken in error might be recouped to the Earl of Devonshire.

fo. 465. Copy of the particular on which the composition was made.

Letter from Westminster to the Lancashire Commissioners, requesting them to review their previous decision and action.

Affidavit of John Hanson, gentleman.

James and Robert Dewhurst.

(First Series, Vol. cxiii., No. 7,093, fol. 365.)

(Totally destroyed by damp.)

Robert Dewhurst, of Bayley, Yeoman.

(First Series, Vol. xxi., No. 609, fols. 269, &c.)

fo. 269. Report dated 20 February, 1654 [-5], by Mr. Reading, upon an order dated 31 October, 1654, based upon a petition of James Dewhurst, of Bayley, yeoman,

desiring the discharge of a messuage and certain parcels of land lying in Bayley, which then lately had come into petitioner's hands by the death of his father, Robert Dewhurst, for whose delinquency the same had been sequestrated. Mr. Reading found that, by an indenture dated 26 July, 1625, made between Sebastian Osbaldeston, gentleman, and Mary, then wife of the said Sebastian, and some time the wife of James Dewhurst, gentleman, then deceased, and sole daughter and heir of George Ashe, of Bayley aforesaid, gentleman, then also deceased, and William Dewhurst, son and heir apparent of the said Mary, on the one part, and John Cothem, of Ribchester, co. Lancaster, yeoman, on the other, it was fully agreed between the said parties to the said indenture in manner and form following: That is to say, they the said Sebastian Osbaldeston and Mary his wife, and William Dewhurst, or some of them, then were or was lawfully seised in fee, or of some other good estate of inheritance, of and in the messuages, cottages, lands, tenements, rents, &c., situate and being in Bayley aforesaid, and in Dutton in the aforesaid county hereafter mentioned. The said Mary Osbaldeston and William Dewhurst, minding the continuance of the inheritance of the same messuages, &c., in their blood and kindred, and for and in consideration of a marriage thereafter to be solemnised between Robert Dewhurst, younger brother of the said William Dewhurst, and Margaret Cotham, daughter of the said John Cotham, and in consideration of £120 then paid to the said Sebastian Osbaldeston and Mary his wife, and to Gyles Dewhurst, and to such other of the children of the said Mary as she had already set down and appointed, for and towards their better preferment, as by several obligations under the hand and seal of the said John Cotham dated equal with the said indenture did appear, and for a competent jointure to be made and assured to the use of the said Margaret out of part of the said lands and premises, and for the better maintenance of the said William Dewhurst during his life, and for other considerations them moving, they, the said

Sebastian Osbaldeston, Mary his wife, and William Dewhurst, covenanted and agreed with the said John Cotham, his executors and assigns, by the said indenture, that they, the said Sebastian, Mary, and William, would, before the 1st of May then next ensuing, at the proper costs and charges of the said John Cotham, by fine or fines, with proclamations, ffeofment or ffeoffments, or by such other assurances as in that behalf should be reasonably required, convey and assure to Richard Osbaldeston and Matthew Latus, gentlemen, and to their heirs and assigns, or to the heirs and assigns of one of them, all and every that and those messuages, cottages, &c., situate and being within the towns, townships, and fields or territories of Bayley and Dutton aforesaid, theretofore the inheritance of the said George Ashe, in whose hands or possession soever the same or any of them should be, whereof they the said Sebastian Osbaldeston, Mary his wife, and William Dewhurst, or any of them, or any other person, to their or any of their use, then or thenbefore had any estate of inheritance in possession, reversion, remainder, or otherwise, and the reversion and remainder of all and every of the said hereditament, to the several uses, trusts, &c., therein mentioned, expressed, or declared, and to no other use, that is to say: the kitchen, the brewhouse, the larder, the lower parlour, the milkehouse, the closet, the farther buttery, the hawke mues loft, the loft over the sayd parlour, the loft over the said brewhouse, the stable, the new house, the garden on the backside, the kitchen, the orchard, the foald to be occupied in common with the co-occupiers of the capital messuage, part of the said premises; and also of and in all those closes and parcels of lands called the duffcoate ffeild, the well hill, the litle meadowe, the lady's meadowe, the nypes, the kitchen field; and also of and in all that cottage with the appurtenances then in the occupation of John Shirlocar or his assigns; and also in that other cottage or tenement late in the tenure of one Laurence Haworth or his assigns; and also of the moiety of one yearly rent of 4s. issuing out of certain lands in Dutton,

to the use and behalf of the said Mary, wife of the said Sebastian Osbaldeston, for her life, and of and in the other moiety of all and singular the premises, that is the residue of the dwelling-house, and certain closes called the orchard field, the broken bancke, the hind hill, the hind hill wood, the raven ridding, the browne hill, the rough meadow, the calfe croft, the blacke earthe, the calfe parrocke, and all the residue of the house, cottages, lands, rents, hereditaments, &c., not before limited or appointed to be to and for the said Mary, to the use and behoof of the said Robert Dewhurst and Margaret Cotham, his then intended wife, for the lives of them and the longer liver of them, for and in recompense of the dower of the said Margaret and the estate of him the said Robert of, in, and to the said last-mentioned premises, to be without impeachment of waste; and of and in all the said messuages, &c., as the uses formerly declared for the same should severally and respectively happen to determine, and of the reversion or reversions thereof, to the use and behoof of the said Robert Dewhurst for life, after to the first son of the body of the said Robert upon the body of the said Margaret Cotham lawfully begotten, and of the heirs male of the body of the said first son lawfully to be begotten, with like remainder over to the second, third, and every other son of the body of the said Robert on the body of the said Margaret lawfully to be begotten, and the heirs male of their respective bodies, in default, to the use and behoof of the heirs of the body of the said Robert on the body of the said Margaret, with remainder to the heirs of the body of the said Robert Dewhurst, remainder to Gyles Dewhurst, younger brother of the said Robert, for life, remainder to his first, second, third, and every other son of his body, with other remainders over in tail, remainder in fee to the heirs of the said Robert Dewhurst, as by the said indenture produced appeared.

Roger Gillibrand, gentleman, sworn before the Lancashire Commissioners, proved the sealing and delivery of the indenture by Sebastian Osbaldeston and Mary his

wife and William Dewhurst, on which deponent had endorsed his name as one of the witnesses. And Mr. Reading found that Sebastian Osbaldeston, Mary his wife, and William Dewhurst, by deed poll dated 27 of July, 1625, in consideration of the said marriage to be had and solemnised between the said Robert Dewhurst and Margaret Cottham (father and mother of petitioner), and in performance of part of the covenants and agreements comprised in the before-mentioned indenture, enfeofed unto the said Richard Osbaldeston and Mathy Latus, their heirs and assigns for ever, all those messuages, cottages, lands, &c., situate, lying, and being in Bayley and Dutton aforesaid or elsewhere in the county of Lancaster, theretofore the inheritance of the said George Ashe, whereof or wherein they the said Sebastian and Mary his wife, and William Dewhurst, or any of them, or any other person to their or any of their use, had any manner of estate of inheritance, possession, reversion, remainder, or otherwise, and the reversions, remainders, of all and in every of the said hereditaments, with their and every of their appurtenances, to have and to hold unto them the said Richard Osbaldeston and Mathy Latus, their heirs and assigns for ever, to and for such uses, limitations, and provisoes as are before expressed in the said recited indenture of covenant, to hold of the chief lord of the fee or fees thereof by the rents and services theretofore of right due and accustomed, with a covenant of warranty, &c. It was endorsed on the back that Sebastian Osbaldeston, Mary his wife, and William Dewhurst, did deliver quiet and peaceable possession and seisin thereof upon the day of the date of the said deed to the use therein mentioned.

Roger Gellibrand, who was present when the deed of feoffment was sealed, signed, and delivered, deposed to the fact, and that it was executed on or near the day it was dated; and he further said that the said deed was executed by livery of seisin, and that peaceable possession was given to Mathey Latus to and for the use of himself and Richard Osbaldeston, in the said deed mentioned, and that

the same was executed and endorsed on the back of the said deed on or near the day of the date, and that he (deponent) in two several places on the back of the said deed had endorsed his name as a witness. In cross-examination, he said he knew the said Richard Dewhurst, who he believed was father to petitioner, and Sebastian Osbaldeston, Mary his wife, and William Dewhurst, who he believed were all dead, but was not by or present at their deaths or burials. Deponent did not know what lands Robert Dewhurst was possessed of in his lifetime, but if he was possessed of any of the lands mentioned in the said indenture, he believed that he had no other estate in the same than what by the same deed is limited and appointed, and that the indenture and deed were *bonâ fide* executed and delivered by the parties thêreunto, as deponent believed, or for anything he knew to the contrary.

He also found that the said Mary Osbaldeston, widow, late wife of the said Sebastian, then deceased, and William Dewhurst, son and heir apparent of the said Mary, by deed poll dated the 14th August, 1627, in further performance of the said covenants comprised in the first recited indenture, and for other considerations, did give and grant, release, enfeoff, quitclaim, and confirm to the said Richard Osbaldeston and Mathy Latus, their heirs and assigns, all and every that capital messuage and tenement, and other the messuages, cottages, and all other the before-mentioned premises and hereditaments, with their and every of their appurtenances lying and being in Bayley aforesaid and Dutton or elsewhere in the said county, the inheritance of George Ashe, to have and to hold to them the said Richard Osbaldeston and Mathy Latus, their heirs and assigns for ever, to the uses and trusts mentioned, limited, and declared in the said deed of covenant, and not to or for any other use, to hold of the chief lord as mentioned above.

Richard Sherbourne, gentleman, deposed to the same effect.

Giles Dewhurst, cloth worker, deposed that Robert

Dewhurst, petitioner's father, who was brother to deponent, was dead and buried, and he, deponent, was present at his burial in the parish church of Mitton, on the 16th June, 1654, and he, deponent, helped to lay his said body in the grave; that the said Robert Dewhurst in his lifetime, and since the beginning of the then late wars, was possessed of a messuage and certain lands in Bayley, and that the same became sequestered for the delinquency of the said Robert, and was then under sequestration, notwithstanding that the said Robert was dead, and that he had only an estate for life in the same; and further deposed that Sebastian Osbaldeston and Mary his wife (who was deponent's mother), and William Dewhurst (deponent's eldest brother), were all of them then long since dead and buried; that Mathew Latus and Richard Osbaldeston, trustees in the several deeds shewn to him at his examination, were both dead. In cross-examination, he said his brother was really dead and buried according to the time mentioned in deponent's deposition; and he deposed further in matters relating to the case.

The petitioner, James Dewhurst, sworn before the Commissioners in Lancashire, deposed to the same facts as to the title, &c.; and he said the lands ought to have come to him as eldest son, and that the said lands ought to be released from sequestration, and that he ought to have and enjoy the same, he not having released or acquitted his title or interest to the said lands, nor did he know any cause in law or equity to hinder him from enjoying the same according to the settlement thereof already made, and that the trustees named in the deed were both dead.

These examinations were all certified by the Lancashire Commissioners as taken by them in observance of an order from above; and they further stated that the estate in the petition mentioned was sequestered in 1643. Other certificates from Mr. Bayley and Mr. Auditor are mentioned in the report; and Mr. Reading submitted to judgment whether the petitioner should not be permitted to enjoy

the premises, and the sequestration thereof for his father's delinquency, who was dead, be discharged.

fo. 289. Order to Lancashire Commissioners to peruse petition and examine the matter.

fo. 291. Petition (copy).

fo. 293. Communication dated at Preston, 22 December, 1654, signed by E. Aspinwall and Ro. Massey, enclosing copies of the examinations, and mentioning what steps the Lancashire Commissioners had taken.

ff. 295-6. Interrogatories to be administered on part of petitioner.

ff. 297-304. Examinations of parties mentioned in report above.

fo. 305. Certificate, signed by Tho. Browne, auditor, mentioning name of tenant of the lands in Bayley and annual value (dated February 6th, 1654[-5]).

fo. 308. Certificate exhibiting what proceedings had been taken in the matter (31 January, 1654[-5]).

fo. 309. Petition, 31 October, 1654.

William Dewhurst, of Dewhurst, Gentleman.

(First Series, Vol. xxi., No. 609, fols. 312, &c.)

fo. 312. His delinquency; being in arms against the Parliament. He came in on Lord Fairfax's pass dated 31 June, 1644, and he had lived ever after in the Parliament quarters, and had farmed most part of his estate from the Committee of Yorkshire. He took the National Covenant before William Barton, minister of John Zecharias, 23 February, 1643[-4], and the Negative Oath before the Committee in London, on the 24th of the same month. He compounded upon a particular which shewed that he was seized in fee to him and his heirs in possession of and in diverse messuages, lands, and tenements, lying and being in the towns and fields of Dewhurst in the parish of Blackburne, Rybchester, and Hothersall, in the county of Lancaster, worth before the wars £134 clear yearly. Fine, £268.

fo. 313. Petition.

fo. 314. Certificate showing that petitioner had taken the National Covenant.

Pass signed by Fairfax.

fo. 315. Particular of the estate, in which it is mentioned that the property was liable to a statute merchant entered about five years then before, before the Lord Mayor of York city, in the sum of £1,000, the defeasance being for payment of £540, six months then after, to Thomas Hodgson, then alderman, and Thomas Morret, gentleman; he also owed £60 each to William Ibson, Adam Bolton, and Captain Roberte Marsden.

(Second Series, Vol. xliii., No. 2,564, fols. 163, &c.)

fo. 163. Delinquency; adhering to the forces raised against the Parliament in the first war. He petitioned 4 July, 1649, and compounded upon a particular which disclosed that he was seized in fee of and in a capital messuage called Dewhurst, with divers lands thereunto belonging lying in the township of Wilpshire-cum-Dinkley and Salisbury, worth yearly £27. 19s.; also of a like estate in sundry tenements in Hothershall, of the yearly value of £11; also of a like estate of and in a capital messuage called Boyshowse, in Ribchester, with a mill, divers cottages, and lands there, worth in the aggregate yearly £23. 1s. 4d. He stated there was a statute of £1,000 charged upon the said lands, acknowledged in April, 1641, to Thomas Hodgson and Robert Morritt,¹ but he produced no defeasance nor proof as to what was due thereupon. Fine, £186. 1s. (18 July, 1649).

fo. 166. Particular.

fo. 168. Petition.

¹ In compounder's particular he mentions as the second name Thomas Hewles, and not Rob. Morrett.

Dugh Dicconson, of Wraisbolme, Gentleman.

(Second Series, Vol. xli., No. 2,441, fols. 647, &c.)

fo. 647. Delinquency; in arms against the Parliament. He petitioned 14 April, 1649, and compounded upon a particular which disclosed that he was seized in fee to him and his heirs of a messuage and certain lands and a water mill in Alythwayte, worth yearly £41. 10s. Fine, £124. 10s. (25 June, 1649).

fo. 650. Petition.

fo. 651. Particular.

See also under **John Halliwell**, under **Elizabeth Parker**,
and under **William Wortbington**.

Henry Dickenson, of Catteral, Yeoman.

(First Series, Vol. xx., Nos. 571, fol. 356.)

fo. 356. Petition, which shewed that two thirds of petitioner's estate were under sequestration for his recusancy only; he therefore prayed, in accordance with the Act, to be allowed to contract for the same (8 January, 1653[-4]). Referred to Mr. Reading.

Elizabeth Dillworth.

(First Series, Vol. lxxviii., No. 2,442, fol. 623.)

fo. 623. Petition from Thomas Threlfall, of Whittingham, which disclosed that petitioner, in right of his wife Elizabeth, was seized of an estate lying in Broughton. She was then late wife of John Dillworth deceased, and two thirds of it were under sequestration for her recusancy only. Petitioner prayed to be allowed to compound for the said sequestered portion (11 January, 1653[-4]). Referred to Mr. Reading to report.

Edward Ditchfield, of Ditton, Gentleman.

(First Series, Vol. lxxx., No. 2,505, fols. 93, &c.)

fo. 93. Petition, shewing that two thirds of his estate had been sequestered for his recusancy; he prayed to be admitted to contract for the same, 13 January, 1653[-4]. Referred to Mr. Reading.

fo. 95. Another petition, shewing that he appears to have been sequestered for delinquency through a mistake, on an appeal of his to the Barons of the Exchequer in 1649 or 1650. The charge sustained was for recusancy only, and one third part of his estate and arrears allowed him from 6 June, 1649. Subsequently the then new Commissioners gave instructions and deprived him of all profits incoming from his property. He now prayed for an order to examine the truth; and meantime that he might on security be allowed to receive his rents (7 July, 1653). Referred to the Commissioners below; Mr. Reading to report.

fo. 96. Petition, 23 November, 1653; referred as the others.

For **Edward Dobson** see **Earl of Derby**.

Hugh Dobson, of Legrum.

(Second Series, Vol. liv., No. 3,594, fols. 197, &c.)

fo. 197. Report by Mr. Readinge, whereby it appears that petitioner was one of the persons comprised in the Act for sale of lands forfeited for treason, by the name of Hugh Dobson, of Le Grum, co. Lancaster. His estate was surveyed and returned 6 April, 1654, and he petitioned 2 May same year. By the survey he appears to have been seized of a tenement in Le Grum, and a close of arable land called barne close, a parcel called the little meadow,

a close and two parcels called broad close, lower meadow, and wood rock, and three closes called the intacks, worth yearly £5. 2s.

fo. 198. The surveyors certified the title which compounder had to the premises as arising from an indenture dated 23 March, 2 Car. [1650], wherein Richard Sherborne granted them to Hugh and John Dobson for the lives of Hugh, Thomas Dobson his brother, and Robert Parkinson, son of James Parkinson, and the longest liver of them, paying yearly 22s., with a day's drawing of turf, a day's making of hay, a day's shearing, with all other duties, boones, and services at the court of Mr. Sherborne. It was certified that rents and boones to Mr. Sherborne as chief lord were £1. 5s. 6d. per annum (£3. 16s. 6d. clear). Fine, £19. 2s. 6d. (31 May, 1654).

fo. 199. Petition, in which he is described as of Legrum, parish of Chipping.

(First Series, Vol. xx., No. 583, fol. 663.)

fo. 663. Petition, which shewed that the name of petitioner had been inserted into the Act for sale, whereby his property became liable to be sold, or he might compound for it. As he had only a life interest in it, he desired to avail himself of the privilege. He therefore prayed for an order to the Lancashire Commissioners, directing them to examine witnesses, &c., and certify. 2 May, 1654, granted; and Mr. Reading to report.

For Robert Dobson see William Parker.

Elizabeth Doughty, Widow.

(First Series, Vol. xxi., No. 593, fols. 15, &c.)

fo. 15. Report by Mr. Reading, dated August 1st, 1650, on petition of above desiring allowance of her jointure made upon her marriage with John Doughty deceased, son and heir of Henry Doughty, of Thornley, in the county of Lancaster, Esq. (then living), whereof part was allowed by the Lords and Commons for sequestrations upon the report of Lord President Bradshaw, and the residue upon the petition to the Barons of the Exchequer, referred to the examination of Mr. Recorder Steele, who made his report therein, but no order therein made by the said barons. Mr. Reading, having examined into the matter, found that upon the marriage of the petitioner with the said John Doughty it was covenanted and agreed by indenture dated 12th of December, 1641, that in consideration of the said marriage, and of £1,500 paid for the said "plaintive's" marriage portion, there should be provided for her use a jointure of £200 per annum. And it was recited in the said indenture that whereas there was already conveyed to the said John Doughty and Elizabeth the copyhold and customary manor of Colne, and all other copyhold and customary lands of the said Henry and John Doughty in Colne aforesaid, therein alleged to be of the yearly value of £120, for part of the said jointure, the said Henry Doughty by the said indenture did demise and lease to George Anton and William Bishop, in trust for the petitioner, certain lands in Thornelle, in the county of Lancaster, then in the occupation of George Crombelholme, and the mansion house and long house and other lands in Thornelle aforesaid, formerly demised to John and Ralph Parker, and a dwelling-house and lands wherein John Marsden then dwelt, with the lands and tenements thereunto belonging, to have and hold to the said George Anton and William Bishop for ninety-nine years, if petitioner so

long lived. And it was also further declared by the said indenture that because the said copyhold and customary premises in Colne and the demised premises in Thornelle fell short of the said intended jointure of £200 a year, it was therefore further agreed by the said indenture that whereas there was a former mortgage made by the said Henry Doughty of the Manor House of Thornelle aforesaid, called Thornellehall, and divers lands, tenements, &c., thereunto belonging, therein particularly mentioned, unto Gideon de Laun, Esq., for the term of nine hundred years, which mortgage was forfeited, and by the said Gideon assigned over to Robert Callis, serjeant-at-law, the petitioner's father, and Robert Hanson, the said Robert Callis and Robert Hanson, by and with the consent of the said Henry Doughty and John Doughty, for the securing of all the premises unto the petitioner, and that she might be sure to have, hold, and enjoy them, according to the said leases, surrenders, and grants, gave and granted to John Berk and John Atkinson a yearly rent charge of £47, issuing out of the premises formerly mortgaged to the said Gideon de Laun, to have and to hold to the said John Berk and John Atkinson, in trust for petitioner for a term of one hundred years, if the petitioner so long lived. The said Robert Callis and Robert Hanson, by like consent of the said Henry Doughty, did by the said indenture grant the premises formerly mortgaged to Gideon de Laun to the said John Berk and John Atkinson for the term of one hundred years, in trust for petitioner, to secure all the premises to and for her, to be performed accordingly, and that thereout she might be satisfied for all losses and damages as she might have sustained by the non-payment of the said rent charge; after her death the remainder of the said term to wait and attend upon the inheritance as by the indenture then produced, the sealing and delivery of which was proved before the Lord President Bradshaw, and reported by him and Mr. Recorder Steele accordingly. He also found that the premises in Colne were sequestered for the delinquency of the said John Doughty, who died about November, 1647.

Whereupon petitioner had allowance of her jointure of those lands by order of the Lords and Commons of the 3rd November, 1647. By her petition to the Barons of the Exchequer she alleged that a great part of the copyholds in Colne were evicted from her, and that the premises in Thorneville, mortgaged to the said Gideon de Laun, were not sufficient to satisfy the said rent charge of £47 per annum and the damages sustained by her eviction; and that the said Henry Doughty, her husband's father, had entered upon part of her jointure, and that for his joining with the "Scotts" in their then late invasion in those parts, his estate was placed under sequestration for his delinquency, which was reported by Mr. Recorder Steele to the Barons, and by him submitted to their judgment, whether the petitioner ought not to hold and enjoy all the premises demised to Anton and Bishop (except the premises mortgaged to Gideon de Laun) for the remainder of the ninety-nine years, if she so long lived; and as for the premises mortgaged to Mr. de Laun, whether she, proving the eviction and damages before the Committee for Sequestrations, ought not to be permitted to receive the profits thereof until the arrears and damages were satisfied, as appeared by his report of 21st June, 1649. But by her petition it appeared that the Barons made no complete order thereon, the same being signed only by the Lord Chief Baron. So as to the copyhold lands in Colne, valued at £120 a year, part of her jointure, the sequestration of which was taken off by the Lords and Commons for sequestrations, he submitted to judgment whether she ought not to enjoy the same accordingly; and if it appeared to the Lancashire Commissioners that, as alleged, some part of the copyhold estates had been evicted from her, whether she should not be recompensed for such eviction and her losses thereby out of the estate of the said Henry Doughty, formerly mortgaged to Mr. de Lawne; and as for the lands in Thornely, leased to Bishop and Anton for ninety-nine years, if petitioner lived so long, being valued to her at £33 a year, which were alleged to have been entered upon

by the said Henry Doughty and sequestered for his delinquency, whether, being part of her jointure, she should not be permitted to enjoy the same; and as for the rent charge of £47 per annum charged upon the lands in Thornely, mortgaged to Mr. de Laun, being appointed to make up her said £200 paid for her jointure, whether she shall not be permitted to enjoy the same accordingly, or to enjoy the lands so mortgaged in satisfaction thereof, and of her losses and damages by the eviction, &c. (1 August, 1650).

fo. 19. Contract by George Hard, of London, gentleman, dated 22 June, 1653, for purchase of the manor of Thornely, with the rights, members, &c., late parcel of the estate of Henry Doughty, Esq. (order to take possession dated 16 August, 1654).

fo. 20. Petitioner's order of the Lords and Commons, dated 3 November, 1647.

fo. 22. Petition (3 December, 1651). Petition (15 December, 1652). Particulars of this document incorporated in the report. Petitioner appears to have been married on the 12 December, 1641.

fo. 24. Petition (3 May, 1650).

fo. 25. Report by Lord President Bradshaw (copy).

fo. 27. Interrogatories administered to petitioner, and her replies.

fo. 30. Petition, no date.

ff. 31-39. Mr. Steele's report.

fo. 40. Order of Lords and Commons, confirming report of Lord President Bradshaw.

(First Series, Vol. c., No. 3,990, fols. 73, &c.)

fo. 79. "By the Commissioners for Compounding, &c.

" 3^o December, 1651.

"Upon reading the petition of Elizabeth Doughty, widow, alledging that the £47 p ann. formerly by us allowed unto her out of the Mannor of Thornley, 31^o Oct., 1650, is not satisfied, the said Mannor and Lands thereunto

belonging not amounting to fforty pounds p ann., and upon motion made on her behalfe that shee may have the Mannor and Lands to improve for her best advantage during her life, and it being attested by Mr Richard Kinge, now p^rsent, that the said Mannor and lands is not worth £40 p ann., It is thought fitt and soe Ordered that the petitioner bee p^rmitted to have and enjoy the said Mannor and Lands wth th'appurtenances, and receive the rents, issues, and profits thereof during her natural life, for and towards the satisfaction of the said £47 a year; and that the same be forthwith freed and discharged from Seq^{con}, whereof the Com^{rs} for Seq^{cons} and all others whom it may concern are requested to take notice and yeeld obedience accordingly.

(Signed) "SAM MOYER.
RIC: MOORE.
WILLIAM MOLINS."

"I have taken notice of this Ord^r,
Febr y^e 17th, 1651[-2].

"RIC. SHERWYN, Aud^r."

"Jo. Leech, Intr." 116 L x^r. "Exr. p E. WALL."

Examinations taken at Preston the 6th of January, 1652[-3], in the case of petitioner, in pursuance of an order dated 15 September, 1652.

fo. 73. Raph Livesay, of Livesay, Esq., sworn, said he was present when Henry Doughty, on or about 22 December, in the sixteenth year of King Charles I. [1640], sealed, and as his act and deed delivered unto Robert Hanson and John Livesay, deponent's father, the said deed, which deed bore date the first of December aforesaid, and deponent endorsed his name on it as a witness, and witness's name was also endorsed on the back of the said deed as a witness when John Doughtie entered into the possession of the manor house called Thorneley in the name of it and of all other the closes and grounds therein mentioned to the use of Gideon de Laun; gentleman, and presently afterwards delivered the said and possession of the grounds to John Livesay aforesaid, and for the uses in

the said deed mentioned according to the endorsement on the back of the said deed and a letter of attorney; he also was present and saw John Livesay (deponent's father), on the said 22nd day of December, seal and deliver as his act and deed unto the use of Robert Callis, sergeant-at-law, and Robert Hanson, gentleman, one little parchment deed or release (then) shewed to witness.

fo. 74. Examination of John Livesay, of Blackburn, gentleman; and

fo. 75. of Henry Sherburne, of Thornley.

fo. 77. Elizabeth Doughty (petitioner), of Thornley, widow, sworn, said that for and in consideration of £1,500 in hand paid by Sergeant Robert Callis, her father, in lieu and in full satisfaction of a marriage portion with this examinant on her marriage to the said John Doughty, son of Henry Doughty, of Thorneley, gentleman, he, the said Henry Doughty, by sufficient conveyance and assurance, conveyed and assigned to several persons in trust for the use of examinant all his lands, tenements, &c., in Colne, Thornley, and elsewhere, in the county of Lancaster, for the securing of £200 a year as a jointure and in full satisfaction of a dower for her in case she should overlive the said John Doughty, and for the better securing of the said jointure of £200 a year to her, he, the said Henry Doughty, and one Gideon de Lawne assigned to her use one statute formerly acknowledged by the said Henry Doughty to the said Gideon de Lawne; and she further said that all the said lands in Colne and Thorneley became sequestered, and she, on her appeal to the Lords and Commons and Commissioners for Compounding, obtained several orders to free the sequestration of the lands in Colne, and the capital messuage, demesne lands, &c., and had accordingly enjoyed the same for some years then past, but the lands so enjoyed by her and the water corn mill did not amount to above £90 a year, out of which taxes, &c., had to be paid. She further said she had not remitted, released, or otherwise discharged her title and interest to the said £200 a year, nor the lands assigned for

securing of the same, nor any part thereof; nor did she know any cause in law or equity whereby to debar or hinder her from securing the said jointure of £200 a year, or the profits of the lands so assigned her or to her use for securing the same as aforesaid. Sworn at Preston, 13 January, 1652[-3].

ff. 79-91. Various other papers, including examinations, reports, and letters from the Lancashire Commissioners connected with the above case.

Henry Doughtie, of Thornely, Gentleman.

(First Series, Vol. c., No. 3,998, fols. 145, &c.)

fo. 151. Petition from Henry Sherburne, Allen Battell, and William Wayne, of Chipping, which shewed that petitioners farmed the estate then late of Henry Doughtie, of Thornely, gentleman from the agents for sequestration for the then last year, and petitioners Sherburne and Battell discharged the rent and dues for the same according to the agreement made with the agents. Mr. Murgatroyd, challenging a rent charge due forth of the said estate about Martinmas then last, distrained petitioners' goods, and had detained them, to petitioners' great prejudice, losing the grass keep and great charges which they had been put to in attending meetings of the Commissioners of Lancashire, to whom this petition was addressed.

They therefore prayed that they might receive satisfaction for their loss and charges in such a form as they (the Commissioners) should think equitable, and whereas petitioners Sherburne and Walne [*sic*] had farmed the same for the then current year, and had agreed to pay their rent at Midsummer and Michaelmas in equal portions, the agents are to free petitioners from all the said rent charge and incumbrances, and as the rent charge did not fall due to Mr. Murgatroyd till 28 October, after petitioners' rent days, they prayed for an order to the agents to permit them to reserve and detain as much of the said

rents (within hands) as would be sufficient to defray the said rent charge, or otherwise that some other course might be taken and order made whereby petitioners' goods might be protected from being seized for the said rent charge.

fo. 145. In the letter previously referred to they say in regard to this that Murgatroyd, who lived on the confines of Yorkshire, had threatened to distrain again, that they had on a previous occasion called the attention of Commissioners (above) to this, and now repeated it.

[In a marginal note the Commissioners appear to have given instructions to protect petitioners, and to recoup them the charges they had been put to.]

(First Series, Vol. c., No. 3,895, fols. 29, &c.)

fo. 29. Examination taken at Preston, December, 1650, touching the damage sustained by Allen Battle and Henry Sherburne, who were farmers of Mr. Doughtie's estate. Henry Sherburne examined, said that he and Allen Battle, being in the year 1649 farmers of Mr. Doughtie's estate in Thorneley, sequestered for his delinquency, one James Murgatroyd, of Hollins, in the county of York, gentleman, upon the pretence of a rent charge due to him, and issuable out of the said estate, sent his agents and distrained two steers and one cow, being examinant's goods, worth at the least £14, carried them into Yorkshire, and never returned them; at the same time they took from this informer and Allen Battle two colts worth £3. 3s. 4d., and carried them into Yorkshire, and never returned them; and that he and William Woane being that year (1650) farmers of the said estate, about the beginning of November then last the said Mr. Murgatroyd caused three kine of informant's and one of Woane's to be distressed and carried them away, and forced them (petitioner and Woane) to redeem them at a cost of £8. 6s. 8d., and deponent said over and above the damages aforesaid he had expended and sustained loss in the prosecution of this business and neglect of his own occasions and in the loss of another cow

which they had spoiled in distraining to the value of £13 more at the least.

fo. 30. Allen Battle, of Thornely, deposed in like manner to his losses.

Captain Robert Alston, of Chippin; Hugh Sherburne, of Chippin; Robert Sherburne, of Chippin; and Henry Sherburne, of Thornely (second time), were also examined in this matter.

fo. 34. "Haberdashers' Hall,

"By the Com^{rs} for Compounding,

"etc., 29^o December, 1650.

"You are to appear before us att Haberdashers' Hall, London, within twenty dayes after notice hereof given to you. Whereof you are not to ffaile as you will answer to the contrary att yo^r pill.

(Signed) "JOHN LEECH, *Reg^r*.

"To James Murgatroyde."

fo. 35. Letter dated at Preston, 20 January, 1650[-1], signed by Peter Holt, Robt. Cunliffe and G. Pigot, acknowledging receipt of the summons above, stating they had served it on Murgatroyd, mentioning they had taken examinations as to the damages sustained, and enclosing copies, &c.

fo. 38. "Att the Co^mittee, 30 Jan., 1649[-50].

"It is ordered y^t the buisines in controversie betweene Mr. Hen. Murgatroyde and Mr. Henry Sherburne and Mr. Allen Battle concerning some cattle now in the possession of the said Mr. Murgatroyd be referred to John Starkie, Esq., and Rob^t Cunliffe, gentleman, two of the Co^mittee of this County, who are hereby desired forthwith upon seight hereof to here and determine the buisines so as the said Mr. Sherburne and Allen Battell had secured from the agent for seq^{con} for y^e use of the State, and the same to bee allowed out of the p^fitts of the said land.

(Signed) "PETER EGERTON,
EDW. BUTTERWORTH,
NICHOLAS CUNLIFFE."

ff. 39-41. Copies of depositions referred to above.

fo. 44. Letter from Preston, dated 20 January, 1650[-1], accompanying preceding papers.

(First Series, Vol. xcvi., No. 3,845, fol. 377.)

fo. 377. The Lancashire Commissioners certified that one Henry Sherburne was farmer of Mr. Doughtie's estate, sequestered for his delinquency; that a Mr. Murgatroyd, of Yorkshire, had distrained the farmer's goods without any order from any Committee, but as no remedy had been given the farmer, nor Mr. Murgatroyd punished, he again distrained, and forced payment of his rent, declaring that he would "in spite of all that said nay," so that they were afraid no profit would thereafter be made of that estate, and by reason of that incumbrance they had been forced to let it at half its value, which they made bold to certify. (Signed) by "Peter Holt, Rob^t Cunliffe, and G. Pigott."

"A summons to Murgatroyd to appear here [in London] within a month, to give an account why he doth obstruct."

(First Series, Vol. xxix., No. —, fol. 1,038.)

fo. 1,038. Petition from Henry Doughty, which shewed that Henry and Michael Doughtye had theretofore demised to William Doughtye a messuage and some land belonging, lying in Thorneley, for a term of fifty years, at a rental of 18s. 6d. William Doughtye, by indenture dated 24 June, 1650, in consideration of £75, demised the same to Ann Stopforth (wife then of petitioner), for the remainder of the term; yet the Lancashire Commissioners, for the pretended delinquency of the said Henry and William Doughtye, had sequestered it.

Prayed for an order calling on the Lancashire Commissioners to certify for whose delinquency they had seised and sequestered the premises, and when the acts of delin-

quency had been committed, and that they should examine such witnesses as petitioner would produce before them for proof of his title (February, 1651[-2]). "The Co^{rs} to ex: certify, & ref^d to Mr. Reading."

(First Series, Vol. c., No. 4,010, fols. 273, &c.)

fo. 273. Letter dated at Preston 22 June, 1652, mentioning that in observance of an order of the 18th February then last, made upon the petition of Henry Holme, of Mellinge, touching a messuage and tenement in Thorneley, to which the petitioner pretended a title in right of his then wife, they had examined witnesses on behalf of petitioners, and likewise on behalf of the Commonwealth, copies of which they enclosed, and they certified that finding the premises in the possession of James Roads, of Thorneley, who had enjoyed the same by lease under Henry Doughtie, Esq., a delinquent, and that the lease was determined, they, conceiving the same to be sequestrable as part of the said Henry Doughtie's estate, although petitioner's wife then pretended title to the same by assignment from William Doughtie, son of the said Henry (whose estate stands likewise secured for his acting against the Parliament in the wars), they appointed an agent to seize and secure the same for the use of the Commonwealth, and at this time it so continued.

fo. 275. Examinations on behalf of the Commonwealth, taken at Preston, 30 April, 1652, of James Roades, of Thorneley, yeoman, aged 63, who, sworn, said he knew the messuage and tenement to which petitioner pretended title in right of Anne his wife, then formerly called Ann Stopforth, by force of a lease alleged to have been under William Doughtie, and said that he, examinant, had been tenant of it for twenty years under Henry Doughtie, Esq., father of the said William, and that his ancestors had been tenants of it time out of mind; and that about August, 1648, the said Henry Doughtie took up arms against the Parliament and fled away with the Scotts forces under Duke Hamelton;

and about Michaelmas William Doughtie came to deponent and said his father had made him a lease of three tenements, whereof deponent's was one, but he, deponent, desiring to see it, was told by William Doughtie he could not then shew it to him ; and he said that since Doughty had taken up arms against the Parliament, and was then a prisoner for his delinquency at York, and he, deponent, believed if there were any lease made from Henry to William Doughtie, the same was made subsequent to the sequestration of Henry Doughty's estate.

Henry Sherborne, of Thornely, sworn, said that he knew the messuage, &c., and said that about a year then since he had been talking with Henry Doughtie, the younger son of Henry Doughtie, of Thornlie, Esq., touching a lease of the said messuage pretended to have been made from the said Henry Doughtie to his son William. Henry, the son, told deponent that he believed his brother William had fooled himself, for that the lease which he had had from his father was at London with one Edward Davyes, a tailor, and that his brother William had been in Yorkshire, and there had got a new one made, and had it dated after his father's delinquency but before his sequestration, and had put other witnesses to it different to those on the lease that he formerly had acquainted the said James Roade with.

fo. 277. Examinations taken at Preston, 9 April, 1652, of George Toppinge, of Ormeskirke, gentleman, who, sworn, said that he was present when William Doughty, then late of the city of London, merchant, sealed, signed, and delivered the indenture of assignment then shewed to deponent, dated 24 June, 1650, and made between the said William Doughtie of the one part and Anne Stopforth, spinster, wife at this time of Henry Helme, of Mellinge, on the other part. He verily believed that the consideration money (£75) was duly satisfied and paid by the said Anne to the said William Doughtie.

John Hey, of Lancaster, innkeeper, was also present and a witness, and deposed to the same effect.

fo. 279. Letter from Preston, dated 11 February, 1652[-3], enclosing examinations taken in this matter.

fo. 281. Fresh depositions of the above two deponents, sworn 25 January, 1652[-3], at Ormeskirke;

fo. 282. and also of Anne Hulme, of Melling (*née* Stopforth).

fo. 285. Duplicates of the depositions of the 25th January.

fo. 286. Letter dated at Preston, 11 February, 1652[-3], accompanying these depositions, signed by E. Aspinwall, John Sawrey, and Rob^t Cunliffe.

(First Series, Vol. xlv., No. 1,384, fols. 105, &c.)

fo. 105. Petition from James Murgatroyd, of Murgatroyd, co. York, which shewed that Henry Doughty, of Thorneley, co. Lancaster, gentleman, and Michael Doughty, his son, did, on the 17th January, 1647[-8], sell to petitioner (for twenty-one years) an annuity of £8. 6s. 8d. per annum to be yearly issuing and going forth of the manor of Thorneley, with the rights thereof and forth of all the lands, &c., of the said Henry and Michael Doughty in Thorneley aforesaid, two years' rent whereof petitioner had received according to the purport of the grant. The Lancashire Commissioners sequestered the estate of the said Henry Doughty about the 20th November, 1649, since which time petitioner failed to receive the said annuity or any part of it. Prayed for examination of his grant, 28 October, 1650. Referred to Mr. Reading to report.

fo. 107. Return exhibiting the value of Henry Doughty's estate as made up by the Lancashire auditors for the year ending November, 1650.

fo. 109. Affidavit of petitioner.

Elizabeth Dowson.

(First Series, Vol. xix., No. 537, fol. 747.)

fo. 747. Petition from Edward Dowson, of Walton-in-the-Dale, which shewed that John Dowson, petitioner's grandfather, by indenture dated 22 October, 35 Elizabeth [1593], conveyed to William Frodsom, Esq., and others, his messuage and lands in Walton, to have and to hold for the uses therein limited, that is to say, to the use of John, the grandfather, for life, after to the use of John Frodsom, *alias* Dowson, lawful or reputed son of the said John, and to his heirs male of his body lawfully begotten, &c. That the said John Frodsom, *alias* Dowson, son of the said John Dowson and father of petitioner, died about two years then since, and the same ought to have come to petitioner, he being his eldest son and heir.

About 1643, two thirds of the premises were sequestered for the recusancy of Elizabeth Dowson, petitioner's mother, and were then under sequestration, though she was only entitled to a third. Prayed for an order directing the Lancashire Commissioners to examine and certify (25 May, 1655). Granted; and referred to Mr. Reading to report.

Thomas Drinkhall, of Tatham.

(First Series, Vol. lxxxiv., No. 2,898, fol. 605.)

fo. 605. Printed certificate exhibiting that petitioner was a person qualified to preach the Gospel, and therefore fit to receive such augmentation as had been formerly settled upon him or the place where he preached. Dated 7 February, 1654[-5].

For **Thomas Duddell** see **Thomas Grymsbawe**.

For **William Dunn** see **Earl of Derby**.

For **William Dwarribouse** see **John Plomber**.

Benjamin Eccles, deceased.

(First Series, Vol. xxxvi., No. 1,131, fols. 271, &c.)

fo. 271. Report by Mr. Reading dated 12 October, 1654, based on an order made on the petition of Samuel Kinge, of Shercoate, co. York, desiring among other things that two third parts of a messuage and tenement and certain parcels of land called Colland Banke, lying in Alston, co. Lancaster, sequestered for the recusancy of Benjamin Eccles, deceased, might be discharged. He found that by an indenture dated the 30th December, in the thirtieth year of the reign of Queen Elizabeth [1587], in consideration of £10, Henry, Earl of Derby, demised to Benjamin Eccles, of Alston, co. Lancaster, and his assigns, a messuage and tenement lying in Alston, then in the occupation of Thomas Eccles, grandfather of the said Benjamin, to have and to hold to the said Benjamin Eccles and his assigns, for the life of the said Benjamin, to such uses as were therein expressed, at a yearly rental of 17s. 5d., yielding during all that time such services, customs, and duties as had been accustomed to be paid or done for the same, as appeared by the said indenture (produced) under the hand of the said Earl of Derby, the seal having been broken off, and the deed cancelled, and endorsed to be executed by livery and seisin the thirty-first year of Elizabeth, in the presence of divers witnesses. There was no evidence produced tending to shew that petitioner had purchased the estate from the Earl of Derby, whereby the reversion should have descended to petitioner after the decease of the said Benjamin Eccles; only it was deposed by Richard Kinge, sworn before the Commissioners 27 July, 1654, that he knew the said messuage, late then in the occupation of Benjamin Eccles then deceased, and that Ann Eccles, the widow and relict of the said Benjamin, subsequently to her husband's death had delivered possession to petitioner, and that he or his assigns then possessed it, but was paying rent to the Commonwealth until the

sequestration should have been discharged ; and further deposed that petitioner was reputed to be lord and owner of the premises and several other tenements there, which deponent believed to be true, inasmuch as he had seen some of the "evidences" whereby the same had been bought from the Earl of Derby, and that petitioner lived chiefly at one of the messuages purchased from the Earl, called "the Bought."

William Saunderson deposed that he knew the said Benjamin Eccles, and that he had died about 1653, and that he, Benjamin Eccles (as deponent had heard), held the messuage from Henry, then late Earl of Derby, which he believed expired by the death of the said Benjamin ; and that the petitioner was taken and reputed to be lord and owner thereof.

John Eccles proved the death of the said Benjamin Eccles, and that he was present at his death and burial.

John Fishwicke deposed that the said Benjamin Eccles held by lease from Henry, then late Earl of Derby, which lease expired by the death of the said Benjamin, and that two parts thereof were sequestered for the recusancy of the said Benjamin. In cross-examination, he said the same is of right the inheritance of petitioner, as son and heir of Samuel Kinge, his father.

Petitioner, sworn, deposed that the deponent, by grant from his late father, then deceased, had the premises as son and heir to his father, then deceased, and that the said tenement is of right the inheritance of deponent, and that the lease expired about the first of August, 1652, and two parts thereof were detained out of possession by the Commonwealth, and that he knew no reason in law or equity to debar or hinder him of, in, or to the same. In cross-examination, he said the estates were made by Henry or William, then late Earls of Derby ; and that Samuel King, the petitioner's father, purchased the same, and so had an estate in fee, as he conceived.

As for petitioner's title to the close called Callan Banks, there was produced an indenture in paper, cancelled, dated

the 15th of October, 1639, made between Samuel Kinge of the one part and the said Benjamin Eccles of the other, whereby Samuel King, in consideration of £20, demised the said close, containing six acres of land in Alston, to the said Benjamin Eccles, his executors and assigns, from the 2nd of February then next for a term of twelve years at a peppercorn rent, under the proviso that if Richard Cowell or Jane his wife should be living at the end of the first ten years of the said term, then the lease for the term of the last two years should be void. Concerning which lands it was deposed by the said William Saunderson that he was a witness to the sealing and delivery of the said paper writing, whereby petitioner demised the said Callan Banckes to the said Benjamin Eccles, and that the term therein had expired about the 2nd February, 1651[-2]; and that about a year before the expiration of the said term, two thirds thereof became sequestrated for the recusancy of the said Benjamin Eccles, who was then dead as he before deposed, and that petitioner was reputed to be lord and owner of the said Callan Banckes; and the like was deposed by the said John Eccles. Petitioner deposed to the same effect. John Fiswick deposed that when making the lease petitioner had a fee simple estate of and in the said Callan Banckes, so granted to the said Benjamin Eccles as aforesaid. The Lancashire Commissioners certified that two third parts of the premises were in 1645 sequestered for the recusancy of the said Benjamin Eccles, and that they had transmitted the depositions taken before them.

Petitioner, by his said petition, desired an allowance of his estate in other lands in Alston aforesaid, and shewed that the estate made thereof by the then late Earl of Derby was then in being; in relation to which the leases were produced, and witnesses were examined in proof thereof; but in regard the tenants for whose recusancy the same remain under sequestration appeared then to have been living, he [Mr. Reading] did not report the same. The usual certificates were filed, and referred to in the report.

He submitted for judgment whether upon the above proofs the sequestration of the premises should not be discharged, unless it should appear that the said Benjamin Eccles had some greater estate in the premises than was before expressed.

fo. 277. Order dated 15 March, 1652[-3], referring the case to the Lancashire Commissioners to examine and report.

fo. 279. Petition, 29 December, 1653 (copy).

fo. 281. Deposition of Richard Kinge, sworn the 27th July, 1654, before the Commissioners.

fo. 282. Certificate signed by Mr. Auditor Brown, mentioning that two thirds of a tenement in Alston sequestered from Benjamin Eccles, of Alston, a papist, were let for the year 1652 to one Thomas Gregson at a rental of £4.

(First Series, Vol. xcix., No. —, fols. 70, &c.)

fo. 70. Petition from Samuel King, of Skercoate, co. York, gentleman.

Letter from Lancaster dated 24 August, 1653, mentioning that the Commissioners had received the order of 15 March preceding (on the 8th of August), and had examined and cross-examined the witnesses produced, on the interrogatories sent. Copies of evidence and interrogatories were enclosed, and they certified that two thirds of the estate in the petition mentioned, then late in the possession of Benjamin Eccles, had been in the year 1645 sequestered for his recusancy, and that the other two tenements likewise mentioned were sequestered in 1646 for the recusancy of Robert Fairclough and Alice Fairclough, in the petition mentioned.

ff. 71-72. Interrogatories (12) administered.

ff. 73-74. Answers of William Sanders, of Alston, co. Lancaster, husbandman;

ff. 75-76. of John Eccles, of the same, husbandman;

ff. 77-78. of petitioner, who said he was of Skercoat, co. York, gentleman, aged sixty-five years; that he, by gift or

grant of his father, then deceased, had the messuages and lands in question, he being his son and heir; and that, after the same was actually in his possession, he granted a lease of a certain close to Benjamin Eccles for one hundred years, if certain lives so long survived; that if these lives died, then Eccles was to have a term of twelve years after; that that term had expired in 1651, and of right the land should have come to petitioner, as the other tenements.

ff. 79-81. Interrogatories on behalf of Commonwealth, and replies of petitioner and William Sanders.

Raph Eccleston, of Singleton.

(First Series, Vol. c., No. 3,998, fols. 145, &c.)

fo. 150. Certificate of James Smith, Agent for Sequestrations, that Singleton Windmill, and some lands thereunto belonging, were sequestered for the recusancy of Raph Eccleston, of Singleton; and he made it appear that he held it only by a lease for some years, and those years having expired, and the Committee being acquainted therewith, ordered Smith to take possession of the same for the use of the State until it was shewn to whom of right it belonged. That he had taken possession of it, and let it subsequently for the use of the State at £5 a year (Preston, 10 October, 1650).

ff. 145-7. Letter dated at Preston, 10 October, 1650, signed by Robert Cunliffe and G. Pigot, dealing with several matters, among them the above. They say, in regard to an order of the 13th September then last, upon the petition of Robert Holt, requiring them to value certain lands in Singleton alleged to have been purchased from Sir John Pettus, knight, and why the same was sequestrated, that in reply they enclose the above certificate of the agent, James Smith.

(First Series, Vol. xxix., No. 918, fols. 985, &c.)

fo. 985. Petition from Robert Holt, citizen and merchant of London, which shewed that about a year ago he, for good considerations, purchased one windmill and half an acre of land thereto belonging, one house and three acres of land, and the chapel and chapel yard in Singleton, and one cottage and garden in Greenalgh, as by a deed appeared. When he went to take possession he was opposed and "expulsed" by the then possessors of it, who held the same by demise from the sequestrators of those parts for the recusancy of one Raphe Eccleston. Prayed for a freeing of the premises from sequestration (13 September, 1650). "Commissioners to certify what the cause of the sequestration, and what else they know, and upon return thereof to refer to Mr. Brereton."

fo. 990. Report by Mr. Reading, based on an order of 13 September, 1650, stating that he had examined the petition of Robert Holt, desiring discharge of a windmill and certain lands in Singleton and Greenhalgh, sequestered for the recusancy of Raphe Eccleston. He found that King James, by indenture (produced) under the duchy seal dated 21 June, 1606, for the considerations therein mentioned, demised to Richard Eccleston a windmill in Singleton, co. Lancaster, with the soke of the tenants of the said King of the manor of Singleton belonging to the said mill, half an acre of land to the said mill adjoining and belonging, a house called the Chappell House with three acres of land thereunto belonging, and a chapel called Singleton Chappell, then ruinous or wholly down, with the chapel yard thereunto belonging, all in Singleton, and one cottage situated in a place called the Corner Rowe, in Greenhalgh, with a garden adjoining, all part of the Duchy of Lancaster, to have and to hold for forty years from the 25th of March then last past. The 26th July, 1618, King James, by his letters patent (then produced) under the great seal and the duchy seal, for the considerations therein expressed, granted the premises and the reversion thereof (among

other things) unto Sir James Ouchterlawney [Ochterlony] and Richard Gurney, Alderman of London, their heirs and assigns for ever. The 7th January, 1619[-20], the said Sir James Owchterlawney and Richard Gurney divided the premises granted to them, by the said letters patent, whereby the said windmill and the premises in Lancashire were, amongst other things, allotted to the said Richard Gurney and his heirs for his moiety, as by the said indenture then produced under their seals and hands appeared. Afterwards the said Sir Richard Gurney dying, Sir John Pettus, knight, and Dame Elizabeth his wife, Thomas Richardson, then Esq., subsequently Lord Richardson,¹ and Dame Ann his wife, daughters, co-heirs, and executors of the said Richard Gurney, in consideration of £120 and other considerations, did by indenture dated the 23rd of June, 1649, and by fine levied at Lancaster in pursuance of the said indenture, convey and assure the premises to petitioner, Robert Holt, his heirs and assigns, as by the chyrograph of the said . . . and by the said indenture, the sealing and delivery whereof, on or about the day of the date, was deposed to by John Tostock and John Sedgreave, more fully appeared; and the Commissioners for Lancashire, in pursuance of an order of the 13th September then last, certified a certificate of James Smith, their agent for sequestrations, whereby it appeared that he, on the 10th of October, 1650, certified the said Commissioners that Singleton Windmill and some lands thereunto belonging had been sequestered for the recusancy of Ralph Eccleston, of Singleton, and they being acquainted therewith directed him to retain possession of the same for the State until it was proved unto whom of right it did belong; he held the same up to date of proceedings, and had let it at £5 a year.

So he submitted to judgment whether, in regard the said lease for forty years under which (as it seemed) the

¹ His real title was Lord Cramond, in the peerage of Scotland. He was grandson of Sir Thomas Richardson, Chief Justice of the Common Pleas, and succeeded his grandmother in the barony in 1651.

said Eccleston claimed, determined in 1646, the premises ought not to be discharged, and petitioner be permitted to enjoy the same according to his purchase (14 August, 1652).

fo. 994. Order dated 13 September, 1650, requiring the Lancashire Commissioners to certify the cause of sequestration.

fo. 995. Petition (copy) 13 September, 1650, "referred; returned back, and never effectually prosecuted till July, 1652."

fo. 998. Certificate of James Smith (copy), dated at Preston, 10 October, 1650.

fo. 999. Extract from a letter from the Lancashire Commissioners (dated 10 October, 1650).

fo. 1,000. Affidavit of John Tostock, sworn before the Commissioners, 24 December, 1650, "R. M."

fo. 1,003. Affidavit of John Sidgreaves.

Henry Eccleston.

(First Series, Vol. cxiii., No. 7,198, fol. 594.)

(Totally destroyed by damp.)

Thomas Eccleston, of Wrightington.

(First Series, Vol. lxxxi., No. 2,592, fols. 593, &c.)

fo. 593. Petition from Henry Eccleston, of Wrightington, yeoman, which disclosed that two thirds of a tenement and several parcels of land lying in Wrightington and Maudesley had, in the year 1643, been sequestered for the recusancy of Thomas Eccleston, petitioner's father, and so continued; that his father died in December, 1654, and that on his decease the immediate possession of the premises of right should have come to petitioner, he having been the eldest son and heir to the said Thomas and conformable; he therefore prayed for an order directing the Lancashire Commissioners to examine his title, &c. (19 December, 1654). Agreed; Mr. Reading to report.

ff. 595-7. Report by Mr. Reading, who submitted to judgment whether petitioner should not be permitted to enjoy the premises, and the sequestration thereof be discharged.

ff. 599-617. Various papers, including examinations of witnesses, certificates, and other documents connected with the matter.

(First Series, Vol. lxiii., No. 2,021, fols. 91, &c.)

fo. 91. Petition from George Tompson, of Croston, husbandman, which disclosed that Thomas Eccleston, of Wrightington, for a valuable consideration in money, paid and secured to be paid, had, by good assurance in law, conveyed all his lands and tenements to petitioner and his heirs for ever. Petitioner, however, could not get into possession, because two third parts of it were sequestered for the recusancy of the said Thomas Eccleston. He therefore prayed to be admitted to compound for the same (no date or order).

fo. 96. A particular of the estate.

William Eccleston, of Maudesley, Yeoman.

(First Series, Vol. lxxi., No. 2,592, fol. 591.)

fo. 591. Petition shewing that two thirds of his estate were under sequestration for his recusancy only ; he therefore prayed to be admitted to contract for the same according to the Act, 21 October, 1653. Referred to Mr. Reading (29 December, 1653).

**Robert Edmondson, of Bysbam [Heysham],
Yeoman.**

(First Series, Vol. xxviii., No. 872, fol. 891.)

fo. 891. Petition, which shewed that two third parts of petitioner's estate had been sequestered for his recusancy,

and he desired, according to a proviso in the Act, to be allowed to contract for the same (17 January, 1653[-4]).
 "Referred to Mr. Reading to report."

**Richard Eltonhead, the Elder, of Sutton,
 Gentleman.**

(Second Series, Vol. xlii., No. 2,541, fols. 797, &c.)

fo. 797. Delinquency, assisting the forces against the Parliament. He petitioned 19 June, 1649, and compounded upon a particular which disclosed that he was seized of a frank tenement for his life, remainder to Richard Eltonhead, his son, in tail, of and in a capital messuage and lands called Eltonhead Hall, in Sutton, and a mill and other lands there, worth yearly £41; but he claimed a deduction of £120, a debt due on a bond to one Thomas Barnes, who had sued him to the outlawry in Michaelmas Term 1646, and the lands had been extended thereupon in the Exchequer; he also stood indebted to various other persons in the aggregate sum of £190. Fine, £92. 2s. (16 July, 1649).

fo. 800. Particular.

fo. 802. Petition.

fo. 803. Affidavit of compounder, sworn 13 July, 1649, before Tho. Benet, in which, in addition to Barnes's name as a creditor, he mentions those of Elizabeth Turner, £10; Thomas Walls, £16; William Fletcher, £60; William Wood, £50; John Launder, £10.

Ralph Eyves.

(First Series, Vol. xxxiii., No. 1,021, fols. 1, &c.)

fo. 1. Petition from William, Marquess of Hertford, which shewed that in obedience to the orders and rules of the Committee (Lords and Commons and other the Commissioners sitting at Goldsmiths' Hall), petitioner had paid

in a good sum of money towards his fine, hoping to have had his sequestration taken off; but his compositions not having been fully settled on a review (he having long then since given in an additional particular to be added to his former composition), and the report thereof having been made and delivered in by the Sub-Committee six weeks then ago, he therefore prayed that the Commissioners would assign a time for him to perfect his composition, to the end that the sequestration might be suspended according to the rules. "27 Feby. Ordered that the Lo: Mar-quesse Hertford's cause be heard upon Thursday next."

fo. 2. Petition, which shewed that Sir Richard Molyneaux, knight and baronet (then), since deceased, by his indenture dated the 12th March, 14 James I. [1617], demised unto Raphe Eyves all that capital messuage and tenement called the Hall of the ffishwicke, in the county of Lancaster, with its appurtenances and free liberty of fishing within the lordship of ffishwicke, to have and to hold for the lives of the said Raphe, Richard Eyves (son of the said Raphe), and Joanne Walles, and of the longer liver of them, under the yearly rents in the said indenture expressed, with a proviso that if Richard, son of the said Raphe Eyves, survive his said father, or otherwise if the said Richard Eyves should marry in the lifetime of his father with his privity and consent, that then it should be lawful to and for the said Sir Richard Molyneaux, his heirs and assigns, from and after the death of the survivor of the said Raphe and Richard Eyves, into all and singular the premises to re-enter, as by the said indenture appeared; that the said Richard Eyves did marry in the lifetime of his father with his privity and consent, and that the said Raphe and Richard were then both dead; yet two third parts of the premises were sequestered for the recusancy of the said Raphe, and the Lancashire Commissioners forbore to discharge the said two third parts without an order from above. Inasmuch as the estate (amongst other lands) was vested in petitioner by good assurance from Richard, Lord Viscount Molyneaux, son and heir to the

said Sir Richard Molyneaux, and thereby the petitioner ought to have enjoyed it, he therefore prayed an order to the said Commissioners of Lancashire for the discharge of the said two thirds, or otherwise that the examinations then already taken concerning the premises, with such other examinations as should be taken before the Commissioners, might be referred to counsel to state and report.

(Signed) "THO. TURNOR for the
(28 September, 1654.) Petr."

"Ref^d to Mr Brereton."

Heard 9^o Maii, 1655.

According to order of the 28th of September, 1654, Mr. Brereton examined the above petition, and found that by indenture bearing date the 12th March, 1616[-7], Sir Richard Molyneaux, of Sefton, co. Lancaster, knight and baronet, in consideration of £100 and of faithful service done and to be done, demised to Raph Eyves all that capital messuage and tenement called the Hall of Fishwick, in the said county, with all its appurtenances, under the yearly rent of £6; and for the said considerations, Sir Richard Molyneaux also granted to the said Raph Eyves full liberty to catch salmon or any other fish whatsoever in the river of Ribble, in any place or places within the manor of Fishwick aforesaid, with divers other liberties; to have and to hold unto the said Raph Eyves, his heirs and assigns, during the lives of the said Raph, Richard his son, and Joan, the wife of one William Wall and daughter of the said Raphe, and the life of the longest liver of them, under the yearly rent of £6 and certain fish, and all other customs, duties, and services due and accustomed for the premises; provided, amongst other things, that if the said Richard Eyves survive his said father or do marry in the lifetime and with the consent and privity of his said father, that then it shall be lawful to the said Sir Richard Molyneaux, his heirs and assigns, from and after the death of the said Raph Eyves and Richard Eyves, into the said messuage, tenement, and

premises to re-enter and the same to re-possess as in their former estate, anything therein contained to the contrary notwithstanding, as by the said indenture (produced) under the hand and seal of Sir Richard Molyneaux (with possession and seizure endorsed to have been delivered the 14th April, 1617, by George Beesley, attorney to the said Sir Richard) appeared. That by indenture tripartite bearing date the 27th of October, 1652, made between Richard, Lord Viscount Molyneaux, grandchild and heir of the said Sir Richard Molyneaux, of the first part, William, Lord Marquess Hartford (petitioner), and Henry, Lord Beauchamp, son and heir apparent of the said Lord Marquess, of the second part, and Thomas Hawarden and William Tempest of the third part, and by fine, cognusance de droit come ceo, &c., levied at Lancaster the 16th March, 1652[-3], by the said Richard, Lord Molyneaux, and Caryl Molyneaux, Esq., his brother, unto the said Thomas Hawarden and William Tempest and the heir of the said Thomas, and by a common recovery suffered the same day, wherein the said Lord Marquess and Lord Beauchamp were demandants, and Hawarden and Tempest, tenants, who vouched the said Richard, Lord Viscount Molyneaux, who vouched the common vouchee, the said Viscount Molyneaux, in consideration of a marriage then agreed and then since solemnized between him and the Lady Frances, eldest daughter of the said Marquess, and £8,000 portion, and other considerations in the said indenture tripartite expressed, did convey and assure the said manor of Fishwick, with all its rights, members, and appurtenances (amongst other things), to the said Lord Marquess Hertford and Lord Beauchamp, their heirs and assigns, to the use and behoof of themselves, their heirs and assigns, as by the said indenture (produced) appeared; proved by John Wood, gentleman, to have been sealed and delivered on or about the day of the date, as by the said fine and recovery (produced) exemplified under seal also appeared.

And Roger Farrand, gentleman, sworn before the Commissioners of Lancashire, deposed that he knew that the

said Raph Eyves and Richard his eldest son, by virtue of the said lease made by the said Sir Richard Molyneaux, dated 12 March, 1616[-7], did hold a messuage and tenement in Fishwick for his own life and the life of Richard his son, who were then both dead, the latter of whom was the said Raphe, who died about the 28th August, 1653, and was buried the 30th of the same month, as deponent had heard and believed to be true, which he the better knew because he was a servant to the Lord Molyneaux and a near neighbour to the said Mr. Eyves; and he deposed that the said Richard Eyves did, with the consent in the lifetime of the said Raphe, his father, marry and take to wife Jane, daughter of Nicholas Grimshaw, gentleman, then deceased, with whom the said Richard received the sum of £140 as a marriage portion, which sum was afterwards by the said Richard paid to the said Raph Eyves. The said Roger Farrand, being cross-examined on behalf of the Commonwealth, deposed that he knew a messuage and tenement in Fishwick two third parts whereof were under sequestration for the recusancy of Raph Eyves; that Joan Wall, named as a life in the said lease, was then living, as deponent believed, as about fourteen days then before he had seen the said Joan in full life, and had not heard since then anything to the contrary.

Nicholas Fazakerley, gentleman, deposed that he believed Raph and Richard Eyves were both dead, for that he, deponent, had spoken with several persons of their late neighbours who informed deponent that they were both dead, and were buried at Preston, in Lancashire. Deponent was the more induced to believe this to be true for that one of their said neighbours did shew deponent a certificate, which he said was taken out of the church book of Preston under the hand of the parish clerk there, certifying to the time when they were respectively buried at the said church; and deponent further said that he, having been servant to Richard, then late Lord Molyneaux, and employed in his business and occasions, saw several leases mentioned to be granted by the said Sir Richard Molyneaux containing in

them the like proviso or condition as is above mentioned in the said lease unto the said Raphe Eyves.

The Commissioners for the County of Lancashire, together with the said examination of Roger Farrand, certified that in September, 1643, two third parts of the estate of Richard Eyves were sequestered for his recusancy, and then continued.

Mr. Bailey certified that in a list of sequestered persons returned from Lancaster pursuant to a letter of the 19th of March, 1651[-2], he found Raph Eyves, of Fishwick, papist, inserted, and Richard Eyves, of Bradley and Fishwick, papist and delinquent, who was inserted in the then last Act for sale (No. 782); and in another list of sequestered persons from Lancashire, returned 24 March, 1653[-4], mention was made of Raph Eyves, gentleman, a papist; his estate at Fishwick let in 1653 at £15 per annum. And Mr. Auditor Brown certified that the Commissioners for the said county, in their accounts exhibited 3 July, 1654, being for the year ended 25 March, 1653, certified Raph Eyves, of Fishwick, gentleman, deceased, a papist; two thirds of his tenement in Fishwick and the fishing farmed to Henry Taylor for £14. 5s.; two thirds of his tenants' rents at Pentecost and Martinmas, 15s. 1d. "All which is submitted to judgment" (2 May, 1655).

fo. 13. Order of reference (28 September, 1654) to Mr. Brereton.

fo. 15. Petition (28 September, 1654).

fo. 16. Affidavit of Nicholas Fazakerley, sworn before the Commissioners, 14 March, 1654[-5].

fo. 17. Affidavit of John Wood, of Thavies Inn, Holborn, sworn same time and place.

fo. 19. Copy of Mr. Browne's return of the rental.

fo. 21. Copy of Mr. Bayly's certificate of the proceedings taken in the case, mentions that the Marquess of Hertford was fined £8,345 for his delinquency, and that the sum had been paid into the treasury at Goldsmiths' Hall.

RALPH EAVES.

(First Series, Vol. ci., No. 4,187, fol. 473.)

(Totally destroyed by damp.)

Richard Eyves, of Fishwick, Gentleman.

(First Series, Vol. lxxvii., No. 2,386, fol. 535.)

fo. 535. Petition from James Foulds, of Martholme, yeoman, shewing that Richard Eyves, of Fishwicke, gentleman, by indenture of lease dated 15 August, 13 Charles I. [1637], granted to petitioner, his heirs and assigns, an annuity of £10, issuing out of a messuage in Aughton called Over Hackinge, then or lately then in the tenure of one Edward Braddill, to him and his assigns, for the life of Ann Grymshaw, daughter of Nicholas Grymshaw, of Clayton in the Moores, Esq.; but as the said lands were under sequestration for the recusancy and delinquency of the said Richard Eyves, then deceased, and petitioner was by that means hindered from receiving his said rent charge, the Commissioners for Lancashire forbearing to pay the same without an order from above, he therefore prayed for an order for the paying of the said annuity, with the arrears, or otherwise to examine petitioner's title (15 March, 1652[-3]). "The Com^{rs} to examine & certify."

(First Series, Vol. lxxxi., No. 2,560, fol. 293.)

fo. 293. Order to take possession of several messuages, lands, &c., lying in Aughton, in the occupation of one John Taylor, late parcel of the estate of the above, sold on March 9th, 1653[-4], to John Duxburie, yeoman.

(First Series, Vol. ci., No. 4,061, fols. 1, &c.)

fo. 3. Letter dated at Preston 27 May, 1653, signed by Nicholas Cunliffe and Ro: Massey, mentioning that in

observance of an order of the 15th March preceding, made upon the petition of James Foulds, of Martholme, touching a rent charge of £10 a year, mentioned to be issuing out of a messuage in Aughton granted to petitioner by Richard Eyves, deceased (of Fishwick), they had examined and cross-examined witnesses as by the order was required (copies enclosed), and they certified that the estate out of which the annuity issued was sequestrated in 1643 for the recusancy and delinquency of the said Richard Eyves, and then so continued.

fo. 1. Interrogatories administered to witnesses. The examination of Thomas Eyves, of Fishwick, yeoman, on behalf of petitioner, who said he was a witness to the sealing, &c., of the deed then shewed to him, bearing date the 15th August, 13^o Charles I., and made between Richard Eyves, of Fishwick, gentleman, of the one part, and petitioner of the other. Interrogatory and cross-examination of the same witness.

Thomas Eyves, of Fishwick, Husbandman.

(First Series, Vol. lxxi., No. 2,560, fol. 296.)

fo. 296. Petition shewing that petitioner was theretofore possessed of a "small parcel of a tenement" in Fishwick, being six acres of barren land only, which he held by lease from the predecessors of Lord Molineux for a term of three lives, all of which except petitioner were dead, and he was eighty years of age. Two thirds of his tenement had been sequestered for his recusancy, and so continued; he therefore prayed to be admitted to compound for it (2 December, 1653). Referred to Mr. Reading to report.

**William Farrington, the Elder, of Werden, Esq.,
and William Farrington, the Younger, Gent.,
his Son and Heir Apparent.**

(Second Series, Vol. xxxix., No. 2,226, fols. 409, &c.)

WILLIAM FARRINGTON, THE ELDER, OF WERDEN, ESQ.¹

Delinquency, adhering to and assisting the forces raised against the Parliament. He petitioned 4 May, 1649, and compounded upon a particular which disclosed that he was seized for life, remainder to William, his son, in tail ("who is to compound for the same"), of and in several messuages, lands, and tenements worth yearly £188. 13s. 4d.; and a like estate for life, remainder as aforesaid, and other lands in Leyland, called Shawhall, worth yearly £6. 13s. 4d. He held by lease under the seal of the Duchy of Lancaster the moiety of the fishing in Ribble water, and certain lands in Penwortham for three lives, worth yearly £13. 6s. 8d. He was in possession for a term of five years by lease from the mayor and burgesses of Preston [in] *and* [of] the other moiety of the said fishing and a parcel of land called the Holme, worth yearly £5. He held by lease for three lives the other [one] moiety of a water corn mill and a parcel of land in Farrington by lease from the Lord Molineux, worth yearly £5. He held for ten years then to come, by lease, a common bakehouse or tenement lying in Maxfield, county of Chester, of the yearly value of 20s. Out of which he claimed deductions £16 a year payable to his brother Thomas, during his life, out of the lands in Leyland. Fine, £511 (29 May, 1649).

fo. 411. Report based upon an order of the Committee dated 15 January, 1652[-3], in connection with a mill and lands in Penwortham, which was then under sequestration

¹ William Farrington the elder was Secretary to James, Earl of Derby, and valiantly assisted the Countess in her defence of Lathom House. He was M.P. for Lancashire in the Short Parliament of 1640, and died in 1659.

for the recusancy of Ann Audland. It was found in a former report that the said Ann had no estate in the premises, but was tenant at will to petitioner.¹ It was not clear to the minds of the Committee whether the above was compounded for previously. Additional fine, £25. os. 6d. (25 January, 1652[-3]).

fo. 413. Order of reference by the Committee in London of the above matter to Mr. Reading to report upon.

fo. 415. Petition of compounder praying for this reference.

fo. 417. Particular describing the mill as a "windmill."

fo. 419. Petition in the former proceedings.

fo. 421. Particular, which describes the estate of the yearly value of £188. 13s. 4d. (omitted from the report) as being a capital messuage and tenement called Werden, with ye demesne lands, &c., thereunto belonging, and of another messuage called Littlewood, and lands belonging, and of the moiety of a water corn mill in Ulneswalton, in the hundred of Leyland, and of a messuage, barn, close, or clausure of land in Walton-in-le-Dale called the Maines.

(First Series, Vol. xxvi., No. —, fols. 858, &c.)

fo. 858. Petition, in which he is described as William ffarrington, the elder, of Leyland, Esq., which shewed that petitioner, among other things, had compounded for an estate for life, the remainder to William ffarrington, the younger, his son, in tail, of the yearly value of £6. 13s. 4d., and had paid his whole fine and sued forth his discharge, yet the Commissioners for the County of Lancaster, upon a bare pretence that the said estate was not the estate of petitioner, but of his son, because in his possession, had seized and secured the same for his delinquency, and by that means had put petitioner, who was much in debt and had many children to maintain, unto a great deal of unnecessary charge. That the said estate was petitioner's for

¹ See Vol. i., p. 117.

his life, and his son was tenant only and paid a rent, as appeared by an affidavit annexed to petition, and by Mr. Reading in his report, to whom the case had been referred by order of the 6th August, 1651. Petitioner therefore prayed for an order to the Lancashire Commissioners discharging his said estate from any seizure or sequestration, and that he might not thereafter be put to such unnecessary expense upon bare surmises, which could not tend to the benefit of the Commonwealth (28 January, 1651[-2]). "If it be of no greater value than £6. 13s. 4d., then to be discharged."

fo. 867. Particular of the estate of William Farrington, the elder, the mill and lands in the parish of Penwortham, which he valued (before the wars) at £10 per annum.

fo. 870. Petition of William Farrington, the elder, relating to the windmill (11 January, 1652[-3]).

fo. 871. Petition of William Farrington, the elder, which shewed that, upon his composition for his estate and delinquency with the former Committee, amongst other lands mentioned in his particular for an estate for life was Shawhall, with certain lands lying in Leyland, and then occupied by his son, William Farrington, of which estate, subsequent to his composition, petitioner had received the rents, and hoped that he should not in the then future be debarred from continuing to receive them; yet the Lancashire Commissioners, upon a bare pretence that the said messuage was not petitioner's, but his son's, had, on July 5th, 1651, ordered that the profits should be secured, and if petitioner should not procure a discharge from the Commissioners above within three months from that date, then the same to be sequestrated. He prayed, as his son had no estate in the premises till after petitioner's death, that the said order of the Lancashire Commissioners should be declared null and void, and that petitioner should not be put to unnecessary charges upon bare surmises (6 August, 1651). "The Com^{rs} to ex., certify, & refer to Mr Reading."

fo. 874. Affidavit of W. Farrington, the younger, sworn 22 July, 1651, declaring he had for seven years then past

at the least been and then was tenant to his father for the messuage involved in the proceedings, and had paid and continued to pay rent for the same, and that he had no interest in it till after the death of his father.

fo. 876. Wigan, 5 July, 1651. Order of the Lancashire Commissioners to secure the premises.

fo. 877. Report by Reading, dated 21 January, 1651[-2], based upon an order of August 6th, 1651, on the petition of William ffarrington, the elder. He found that on 31 May, 1649, petitioner had compounded for (among other things) an estate called Shawhall, in Leyland, worth yearly £6. 13s. 4d., for which his fine was set at a sixth, according to the rule at two and a half year's fine; that on 8 June, 1649, William, his son, compounded for the reversion of the same at one half year's fine. Both compositions were confirmed the 7th December, 1649. The Lancashire Commissioners, by their certificate, 7 October, 1651, certified that the said messuage was sequestrated as the estate of the son, and subsequently compounded for as part of his father's estate, yet the same still continuing in possession of the son, who had not made any composition for his estate to their knowledge, they had secured the same, and they certified the deposition of witnesses proving a conveyance made of the said premises by William ffarrington, the elder, for a jointure for his wife after his own decease. It was deposed by William ffarrington, the son, that he held the same as tenant to his father, and that he had no estate therein till after the death of his father, who was then alive.

"So it is submitted to Judgment whether the petiçõner shall not enioy the premisses according to his composiçõn the Sequestraçõn notwithstanding.

"JO. READINGE."

fo. 880. Order of reference to Lancashire Commissioners.

fo. 881. Petition (copy).

fo. 884. Affidavit of the son (copy).

fo. 885. Examination of witnesses taken at Preston, 1 October, 1651, before Edward Aspinwall, Robt. Cunliffe, and G. Pigot, the Commissioners. Depositions of John Sumpner, of Leyland, gentleman; Thomas Walker, of Leyland, yeoman.

fo. 888. Communication from Lancashire Commissioners enclosing examinations (7 October, 1651).

ff. 889-892. Report by Mr. Reading, dated 6 January, 1652[-3], based upon an order of 17 March, 1651[-2], upon the petition of William ffarrington, the elder, desiring a discharge of the sequestration of a windmill and lands, which had been sequestered for the recusancy of Ann Audland.

Petitioner, sworn before the Lancashire Commissioners, 9 April, 1652, deposed that he then being seized of a windmill and lands in Penwortham, one William Audland, marrying Ann Sergeant, then tenant thereof, Audland agreed with petitioner and took the mill to farm at a yearly rent, and that Audland died about twelve years then ago. This property with the rest of petitioner's estate was sequestered, and he had compounded for it; that two third parts were then recently sequestered for the delinquency of Ann, late wife of the said Audland, she having no estate therein other than a tenant at will at a yearly rental. Ann Audland in her deposition admitted this. John Holinhurst deposed that the said Ann was daughter of Richard Sergeant, who was ancient tenant of the premises under Mr. ffarrington and his ancestors. The old lease having then long ago expired, Mr. ffarrington never would grant a lease of the same to Ann Audland, because she was a recusant. Roger Southwark confirmed this deponent.

Petitioner deposed before the Commissioners, 30 April, 1652, that William Audland, before the beginning of the wars, importuned him for a lease of a tenement in Midleford, and he promised on certain conditions to grant it, namely, that Ann should become conformable to the laws of the Church of England, and that he, petitioner, some time before having received £120 to the use of the said Ann,

the said William Audland paid petitioner £100 or thereabouts, which money was part owing to petitioner for arrears of rent due by Ann and her father, and for ground which they held for twenty-one years, and £30, other part of it, was for so much allowed to the said Ann's father for the surrender of Midleford mill to petitioner; the rest was in consideration that the said William Audland should enjoy the said tenement for his own life and Ann his wife if she became conformable, and that his original lease should so long continue, and that in pursuance of the said agreement the said Audland did enjoy the tenement for his life, and had no lease nor any other bargain of the same than as before, and that the said William Audland being dangerously sick of the sickness whereof he died, he earnestly entreated petitioner to be good to Ann his wife, in regard that she had no estate therein, but only at his will and pleasure.

He found that the Lancashire Commissioners by their certificate of 25 May, 1652, set forth that they had examined witnesses on both sides, and that they had seen the last will and testament of William Audland, proved before Sir Nathaniel Brent the 2nd of December, 1651, wherein is expressed in these words:

"That whereas he the said William Audland did formerly take a messuage and tenement in Middleforth of William Farrington, Esq., and paid him for the same £270. It is his will that it come wholly to Ann his wife in full consideration of her thirds and not otherwise." She paying after his death £20 in several legacies mentioned in the said will, part of which legacies in performance of the will have been since paid. Which messuage and tenement they conceived to be the same estate mentioned in the petition aforesaid, two thirds whereof were sequestered for the recusancy of the said Ann Audland.

Thomas Jackson, who had been Sequestration Agent for the then past five years or upwards, deposed that he, with one William Eccleston, did seize and sequester two third parts of the estate of Ann Audland for her recusancy

about the year 1644, and that so long as he was agent it so continued, and that no title was made to the same or any part thereof to Mr. Farrington during the said term. "And this is all I finde in the said case, which is humbly submitted to Judgment.

"JO. READINGE."

fo. 894. Reference to Lancashire Commissioners (17 March, 1651[-2]).

fo. 895. Petition (copy) same date.

ff. 897-8. Communication dated at Preston 25 May, 1652, signed Edw. Aspinwall, Robt. Cunliffe, mentioning the steps they had taken, and enclosing copies of examinations and other matters connected with the case.

ff. 899-905. Depositions of petitioner; John Hollinhurst, of Penwortham, yeoman; Roger Southwark, servant to petitioner for twenty-eight years; second examination of petitioner; examination of Ralph Worden and Thomas Jackson, of Leyland, yeoman; sworn at Preston on different dates in the months of April and May, 1652.

WILLIAM FARRINGTON, THE YOUNGER, OF
WERDEN, GENTLEMAN.

(Second Series, Vol. xl., No. 2,280, fols. 1, &c.)

fo. 1. Delinquency, adhering to the forces raised against the Parliament. He petitioned 4 May, 1649, and compounded upon a particular which disclosed that he was seized in fee of a messuage and lands in Leyland worth £6. 10s. yearly, and a reversion of certain messuages in his father's particular mentioned of the yearly value of £195. 6s. 8d. Fine, £117. 3s. 4d. (2 June, 1649).

fo. 4. Petition.

fo. 5. Particular.

(First Series, Vol. xxvi., No. —, fols. 839, &c.)

fo. 839. Petition from William Farrington, of Werden, gentleman, which showed that he was seized in fee of an

estate worth £6 per annum, and a reversion of some estate in expectancy after the death of his father, who had then already compounded for the present possession thereof. Petitioner compounded for the said £6 per annum in present and the other in reversion, and had paid a fine of £150 imposed on him for the same. That by reason of some variance at that time between petitioner and his father, and the smallness of petitioner's then present estate, he, petitioner, was altogether unable to raise the fine imposed as aforesaid, with the interest thereof, within the time limited by the "Resolves" of Parliament of 2 October, 1650.

That he had since with much difficulty procured the the money, and had tendered the same to the treasurers at Goldsmiths' Hall, who refused to receive the same in regard the time limited had elapsed, so that petitioner and his children were "utterly ruined" for his not having paid the money in at the time, which then to effect was impossible, unless their honours in tender consideration of the petitioner and his family's sad condition would be pleased to order their treasurers to receive the said money with interest, or otherwise to report the truth of the premises to the Parliament.

fo. 840. Affidavit of petitioner swearing to the facts embodied in petition (sworn 24 July, 1651, in London).

fo. 864. Petition from William ffarrington, gentleman, son and heir apparent of William ffarrington, of Werden, Esq., which shewed that petitioner's father was seized of an estate for life only, and had compounded for the same; petitioner was also seized in fee of a small estate worth £6 a year, with the expectancy to the remainder of his said father's estate, and he compounded for the same, and had a fine of £150 imposed, but, by reason of some variance between him and his father, petitioner could not then raise money, his estate being so small and he in debt, but by the help of friends he had obtained the money, but the treasurers could not receive it without an order from the London Commissioners; he prayed that the fine might be

received, and that his estate be discharged from sequestration (23 April, 1652). "The Treasr̃s to receive his fine with Interest; the petitioner to enjoy his estate upon security till the pleasure of the houses be known in his case."

fo. 865. Order of the House, signed by Hen. Scobell, Cliē: Parliam^t, accepting the fine and ordering discharge of the sequestration (10 November, 1652).

John Fanshaw.

(First Series, Vol. xcix., No. 3,960, fols. 305, &c.)

ff. 305 to 360. Depositions in the case relating to a "Vaccary."

These papers are much damaged, frequently one half the sheet being gone, though usually a third, from top to bottom, thus preventing the continuation of the deposition. There are a great many persons examined.

Ann Fazakerley, of Walton, Widow.

(First Series, Vol. ci., No. 4,092, fol. 273.)

fo. 273. Letter dated Preston, 8 April, 1652, signed by Robt. Cunliffe and G. Pigot, mentioning that in observance of an order of the 27th November then last, made upon the petition of the above, they had perused the petition and examined the contents thereof, and, upon perusal of all the orders made by the then late Committee in the county, they found that by an order of the 3rd of February, 1647[-8], they allowed petitioner a third part of a third part of her then late husband's sequestrated estate, a copy of which order they enclosed, which third part of a third had, by instructions from above, been again seized.

(First Series, Vol. xxvi., No. 789, fols. 768, &c.)

fo. 768. Petition, which shewed that petitioner had previously had granted to her upon a former petition a third part of the third part of her late husband's estate, then under sequestration, for her maintenance, the same to be allowed by the Sequestration Agents, as by an order appeared, dated 3 February, 1647[-8]; prayed for a confirmation of the order. Ordered that copy of petition be sent to the Commissioners in Lancashire; they to state what they knew. Mr. Brereton to report; same for Margaret Fazakerley (26 November, 1651).

fo. 769. Copy order of Lancashire Committee, dated 3 February, 1647[-8], signed at "Wiggan" by Peter Egerton, J. Bradshaw, Edw. Butterworth.

"Int^r p THO. WHALLEY."

Margaret Fazakerley, of Walton, Spinster.

(First Series, Vol. ci., No. 4,092, fols. 266, &c.)

fo. 266. Letter dated at Preston, 8 April, 1652, signed by Richd. [sic] Cunliffe and Geo. Pigot, mentioning that in observance of an order of the 26th November then last, upon the petition of the above, touching an annuity issuable out of the sequestered estate of Nicholas Fazakerley then deceased (petitioner's late father), they had taken the examinations enclosed for proof of the deed in the petition mentioned, and they certified that by two several orders made by the then late Committee for the Sequestrations in the county they found the said annuity allowed unto her, and two thirds to have been sequestrated for her recusancy.

fo. 267. Examinations taken at Ormskirk, 29 January, 1651[-2], of Henry Norres, of Darby, co. Lancaster, gentleman, aged forty-nine, and of William Fazakerley, of Spellowe House, gentleman, aged thirty-eight years.

fo. 269. Copies of two orders of the then late Committee, one dated 25 August, 1646, the other 21 April

1647, the former order allowing petitioner one third of her annuity, the latter directing the Sequestration Agent to obey the former order and pay petitioner the third, he having taken no notice of the first order.

fo. 271. Minute of the resolution granting the third.

Nicholas Fazakerley.

(First Series, Vol. ci., No. 4,092, fol. 273.)

fo. 273. Certificate, signed by Robt. Cunliffe and G. Pigot, that a fifth part of the estate of Nicholas Fazakerley then deceased having been formerly allowed to Katherine, his late widow, Mr. Peter Ambrose, then formerly agent for that division, having received all the rents due out of the said estate in the year 1650, refused to allow her the fifth, alleging that until she should have subscribed the engagement he could not, or would not, allow any part thereof; thereupon she petitioned them for relief; but Ambrose having been discharged of his employment, and his accounts not made up, they commended the same to the consideration and desired the directions of the Commissioners above.

Nicholas Fazakerley, an Infant, of Spella House.

(First Series, Vol. lxxxv., No. 3,018, fols. 459, &c.)

fo. 459. Interrogatories administered to certain witnesses on behalf of the above by William Whitfield, his guardian.

1. Whether they knew petitioner and his guardian and Margaret ffazakerley, spinster, aunt of petitioner, and how long had they known them or any of them?
2. Whether the deponent was by and present and a witness to the sealing and delivery of an indenture (exhibited) dated 6 May, 1654, made between

Richard Moore and Margaret Fazakerly on the one part, and Nicholas Fazakerly on the other, and did deponent subscribe his name as a witness thereunto?

Deposition of William Fazakerly, of Fazakerly, gentleman ;

fo. 460. of Lawrence Bryers, of Walton, gentleman. Cross-examination of same.

ff. 461, 462. Cross-examination of William Fazakerly.

fo. 463. Order made by the Commissioners for Compounding, dated 16 June, 1653, based on the report of Mr. Brereton on the petition of Margaret Fazakerly, desiring the confirmation of a third part of rent of £24 a year, allowed by the then late Committee of the County of Lancaster out of the estate of Nicholas Fazakerly, her father, then deceased, and desiring to receive the fifths of the said third, which she alleged had been detained by the agent in that county upon consideration of the whole matter as stated in the report.

Resolved "that wee are satisfied with the petitioner's Title," and allowed the claim; also that she be paid the arrears of the third part of the rent of £24 a year.

fo. 466. Letter from the Lancashire Commissioners, dated 27th July, 1654, on the subject and terms of the above order.

ff. 467-8. A second long communication on same subject, dated at Preston, 24 October, 1654.

NICHOLAS FAZACKERLEY, OF SPELLA HOUSE, AN INFANT, BY WILLIAM WHITFIELD, OF ROBY, CO. LANC. HIS GUARDIAN.

(First Series, Vol. xxvi., No. 789, fols. 748, &c.)

fo. 748. Petition, which shewed that petitioner, being justly and legally entitled to the remainder of all the lands, tenements, and hereditaments, whereof his late father or grandfather, deceased, died seized of in the county of Lancaster, and that his title thereto had been

heard and allowed upon proof, and the sequestration discharged, but there being an annuity of £24 a year issuing out of the premises to one Richard Moore in trust for petitioner's aunt, petitioner finding she was never sequestered, nor the annuity from her, did, so as to clear his estate, by deed dated 6 May, 1654, purchase the said annuity, yet he was questioned for two parts of the said annuity upon pretence that his aunt was a recusant. Prayed for an examination into the matter.

fo. 749. Affidavit of Roger Bryers, of Walton, gentleman, who deposed that he well knew Nicholas ffazakerley, son of Ann, and Robert ffazakerley, husband of the said Ann, and Richard and Robert ffazakerley, brothers of the said Nicholas; and that the said Nicholas, Robert, and Richard were all dead, as he believed, for he had married the daughter of the said Robert ffazakerley above twenty years then ago, and knew them all, all their lives. He believed that all were dead at least seven years then ago. One of them, Robert, dying in Westchester about the year 1643; and Nicholas died in Liverpool within a year after Robert; and he had heard it "very creditably" reported that the said Robert, the younger, and the said Richard ffazakerley were dead then about seven years ago; and that the said Robert, the younger, died as deponent believed in the Indies, and that Richard died in Ireland in or about 1642.

fo. 751. Affidavit by the same, who deposed that the indenture dated 20th of December, in 14 Charles I. [1638], made between Robert ffazakerley, of ffazakerley, county of Lancaster, gentleman, of the one part, and George Vaughan, of the city of London, gentleman, and Robert Mollineux, of the Wood, in the county of Lancaster, gentleman, of the other part, and then exhibited to deponent, was sealed and delivered by the said Robert Mollineux to the use of the said Robert ffazakerley, on or near the date of the said indenture, and deponent witnessed the same, and other persons as well. (Sworn in London, 11 March, 1652[-3].)

fo. 753. Affidavit by same, deposing that the copy of the Court Roll of the Halmote Court for the manor of

West Derby, then shewed deponent, dated 7 January, 1649[-50], was a true copy of the original Court Roll of the said manor, and that he had examined the same with the original thereof, and that Nicholas ffazakerley, deputy steward of the said manor, did at the same time subscribe his name to the copy shewed as aforesaid to deponent, and that his name subscribed thereunto was his own proper handwriting, and that Henry Mercer then also subscribed his thereunto as a witness. (Sworn in London, 11 March, 1652[-3].)

fo. 755. Deposition of Thomas and William ffazakerly, who made oath severally for themselves and not for one another, that they nor either of them had released, bargained, or sold the right, interest, or title of either of them to all or any the lands or premises in the indenture then shewed to deponents, which indenture bore the date of the 4th September, 1641, and was under the hand and seal of Robert ffazakerley, of ffazakerley, deceased, father of deponents, and they said severally and not one for the other that neither they nor either of them knew any matter or reason in law or equity why they should not enjoy the said lands, &c., according to the said deed, and that they the deponents were the then only surviving lessees in the said indenture mentioned. (Sworn in London, 23 March, 1652[-3].)

fo. 757. Henry Mercer, of Tue-Brook, West Darby, yeoman, deposed that the indenture bearing date 4 September, 1641, made between Robert ffazakerley, the elder, of the one part, and Thomas, William, Richard, and Robert ffazakerley, the younger, sons of the said Robert, the elder, of the other part, and then shewed to deponent, was sealed and delivered on or near the date of the said indenture, and that deponent endorsed his name on it as a witness; and deponent verily believed that the hands of John Boulton, John Blockley, and William Dwarrihouse, and the mark of John Boulton, of Thingwall, set on the back of the indenture, were the hands and marks of the said persons mentioned. (Sworn in London, 27 March, 1652.)

fo. 759. Petition (March 29th, 1654). "Referred to Com^{rs} to ex. & Certifie & Mr. Reading to report."

fo. 762. Petition that his claim might be heard tomorrow (29 September, 1653), mentioning that petitioner had neither father nor mother, and many brothers and sisters to maintain. (Granted, adjourning another cause which had been set down.)

fo. 764. Petition of Nicholas, Thomas, and John ffazakerly, his brothers, and of Thomas and William, sons of Robert ffazakerly, and Ann his wife, late then of Spellowe House, gentleman, deceased, and of Henry Parr, gentleman, assigns of the said Thomas and William ffazakerley (22 July, 1653). Referred to Mr. Reading to report.

fo. 766. Petition by same.

fo. 770. Petition of Margaret ffazakerley, of Walton, spinster, which shewed that petitioner's father (Nicholas ffazakerley, of Walton) had settled upon her an annuity of £24 a year out of certain lands lying in ffazakerley, as by deed approved, and that by two several orders dated respectively 25 August, 1646, and 20 April, 1647, she had been allowed, according to the deed, by the Committee of Lancashire, a third part of the said £24, to be paid by the Sequestration Agents of the said county; that the agents had detained a fifth part of the said third ever since the date of the order, and at date of petition refused to pay any part thereof without an order from the Commissioners above. She prayed for same, also to have her full third and arrears of the fifth detained (26 November, 1651).

fo. 771. "Manchester, in Com. Lanc^r.

"Att the Com^{tee}, August the 25th, 1646.

"Whereas, by an Order of the 19th of this Instant, August, upon the Peti^{cion} of Margaret ffazakerley, itt was ordered that yf shee did make itt appeare that one Annuity of £24 alleadged to be due to her out of her ffather Nicholas ffazakerley's Estate was graunted unto her before the Sequestra^{cion} of that Estate, And for that itt now appeareth that the sayd Annuity was legally graunted

as by Viewe of the Deed now shewed, dated the xxth of January, 7^o Jacobi Rex [1609], may appeare, And for that the sayd Margaret ffazakerley is a Popish Recusant, Itt is Ordered that shee shall only have allowed her a thirde pte of the sayd Anuity of Twenty foure pounds, the same to be payd from henceforward by the Agents for Sequestraçõn, att such dayes and times as is appoynted by the sayd Deed; And the other two pts to be disposed on for the publike use untill farther order.

(Signed) "JOHN MOORE.

W. ASHURST.

G. IRELAND.

PETER EGERTON.

RIC. HAWORTH.

HEN: FFLEETWOOD."

(Copy) "*Ita test:*
JO. CASE."

fo. 774. "Wigan, in Com. Lancr.

21 April, 1647."

Order signed by John Moore, Alex. Rigby, and G. Ireland, mentioning that they had been informed that the Sequestration Agents had not obeyed the former order, and directing them forthwith to pay the amount ordered, and to allow Margaret ffazakerly so much of the third part of the annuity as, since the date of the preceding order, had become due and payable, and directing them henceforward to observe the said order in all things as by the same was required.

fo. 775. Mr. Brereton's report, based upon an order of 26 November, 1651, on a petition of Margaret ffazakerley, desiring a third part of £24 (an annuity) allowed by the then late Committee for the County of Lancaster out of the estate of petitioner's late father, and desiring to receive a fifth of the said third, detained as she alleged by the Sequestration Agent in the said county.

He found that Robert ffazakerley, of Fazakerley, in co. Lancaster, gentleman, son and heir apparent of Nicholas Fazakerley, of Spellowehouse, in Walton, in the said county, by indenture dated 20 January, 1609, for divers

good causes and considerations, granted to Richard Crosse and Richard Moore and their heirs a rent of £24 a year out of all his messuages, lands, tenements, and hereditaments in Fazakerley aforesaid (four closes called the Brooke feilds excepted) to have and to hold to them and their heirs in manner and form following, *vizt.*, from the decease of the said Robert ffazakerley during the life of Margaret ffazakerley (petitioner), daughter of the said Nicholas, the yearly sum of £13. 6s. 8d., part of the said £24, and £10. 13s. 4d., residue of the said £24, from the decease of the said Nicholas and Mary, his wife, likewise for and during the life of the said Margaret, in trust for the said Margaret, to be paid at Christmas and midsummer, by equal portions, with a *nomine penæ* of 40s.; provided that if the said Margaret should, after the decease of the said Nicholas claim to demand, by action or otherwise, any filial portion of any of the goods or chattels of the said Nicholas other than he the said Nicholas in his lifetime or by his will should give unto her, or if she or any other to his use or by her procurement claim or demand, by action or otherwise, of the said Robert ffazakerley, his heirs or assigns, any sum of money by the said Nicholas unto her, or unto any other for her use, formerly limited and appointed to be issuing out of any of the copyhold lands and hereditaments of the said Nicholas in West Darby, then the said grant to be void, as by one part of the indenture appeared.

Henry Norres and William Fazakerley, examined, proved the signatures; and W. Fazakerly further deposed that his father, Robert Fazakerley, for twelve years before his estate was sequestered, yearly paid and satisfied to the said Margaret the sum of £24 in moneys, keeping, and other necessaries for her maintenance by virtue of the said indenture; that Margaret was then living, and stood sequestered for popery only; he believed she never had released, discharged, or made void the said deed nor the annuity therein mentioned, and that the three witnesses to the deed were then dead; so he submitted to judgment

whether one third part of the said rent charge ought not then still to be allowed to petitioner, she deposing before the Lancashire Commissioners that he had not broken the proviso in the deed contained.

fo. 777. Communication dated Preston, 8 April, 1652, signed by Robt. Cunliffe and G. Pigott, mentioning the steps they had taken in petitioner's case, and enclosing copies of examinations, &c.

fo. 779. Examination of Henry Norres, of Darby, co. Lancaster, gentleman, aged forty-nine (taken at Ormskirke, 29 January, 1651[-2]); also of William ffazakerley, of Spellowhouse, gentleman, aged thirty-eight years (taken at Ormskirk same day).

fo. 781. Copies of communications of Lancashire Committee (see folios 771 and 774).

fo. 783. Petition (26 November, 1651) (copy).

fo. 786. Order of reference to Lancashire Commissioners (26 November, 1651).

fo. 787. Nicholas ffazakerley, in a petition for himself and others (12 October, 1653) mentions that the title to the estates had been allowed on the 6th October then instant, and prays for the arrears since December, 1649, towards the relief and satisfaction of his debts.

"Ordered that in regard y^e pet^r is an Infant, wee allow of the Arrears from Dec^r, 1649."

fo. 790. Affidavit of William ffazakerley, gentleman, in support of the above petition.

fo. 791. Report of Mr. Reading upon an order of the 22nd July, 1653, upon the petition of Nicholas Fazakerley and his brothers Thomas and John, and of Thomas and William, and of Ann, the relict of Robert ffazakerley, late of Spelhouse, co. Lancaster, gentleman, and of Henry Parr, assignee of the said Thomas and William Fazakerley, desiring confirmation of their title to certain lands in Walton, ffazakerley, Liverpool, and Wigan, and all other lands in the county of Lancaster, then late the estate of Robert and Nicholas ffazakerley deceased, which had been allowed by the Commissioners for removing obstructions.

He found that by an indenture dated 20 December, 1638, made between Robert ffazakerley, gentleman, of the one part, and George Vaughan, gentleman, and Robert Mullinux, gentleman, of the other part, the said Robert ffazakerley, in consideration of a marriage and £400, and for other considerations therein expressed, granted and agreed to and with the said George Vaughan and Robert Mullineux, their executors and administrators, that he, the said Robert ffazakerly, and his heirs, should stand and be seized of all the manors, lands, tenements, rents, and services, of the said Robert ffazakerley, situate in ffazackerley, Walton, near Darby, Liverpool, and Wigan, or elsewhere in the county of Lancaster, to the uses and intents following, *vizt.*, of and in all that capital messuage called ffazackerley Hall, with the appurtenances, and certain closes called North crooke feilds, twelve acres, with other lands containing by estimation twenty acres, then or late in the occupation of Richard Poole deceased, a close called the Rough hey, three and a half acres, and all those closes containing by common estimation eight acres, then late in the occupation of Roger Rigbie, and two closes called the Hudd hey, six acres, and a close called the Five acres, in ffazackerley aforesaid, to the use of the said Nicholas ffazackerly for life, after to the use of his first son and the heirs male of his body lawfully to be begotten, with remainders to the second, third, and every other son of the said Nicholas, and their heirs male respectively, with like remainders to Thomas, William, Richard, and Robert ffazackerly, sons of the said Robert ffazakerly, the father, for their lives respectively, and the heirs male of their bodies respectively, with like remainder to Robert ffazackerly the elder, and the heirs male of his body, the remainder in fee to his right heirs; and of and in all the residue of the said manors, lands, &c., whatsoever, of the said Robert ffazackerly, whereof no use is therein before limited, to the use of the said Robert ffazakerley for life; and after then of and in that capital messuage called Spellowhouse, in Walton aforesaid, and

also of and in all those several closes in Walton aforesaid, called by the name of the great Milne hey, the little Mill hey, the higher crofts, the Cassey hey, the deep field, the Kilne hey, the Barne hey, the Rough hey, the wood meadow, the ten acres, and the long meadow, being situate in Walton aforesaid; and of and in all those closes and grounds situate in ffazackerley aforesaid, called the Gorstey hey, thistle Laurence hey, the higher Ditches flat, the lower Ditches flat, the Marled earth, the two long stints, and the Mill croft, in ffazackerley aforesaid; and also of and in one windmill, with the appurtenances in Walton aforesaid, called the Spellow Mill, with all profits thereto belonging, to have and to hold to the use of Ann ffazackerley and her assigns for life, in the name of her jointure and satisfaction of her dower, and after her death, then, as well of all the premises so limited to the said Ann in jointure as aforesaid, as also from and immediately after the death of the said Robert ffazackerley, the elder, of all the rest and residue of the premises not limited to the said Nicholas ffazackerley for his life aforesaid, to the use and behoof of the said Nicholas for life, without impeachment of waste, with the like remainder over as in the former limitation under this proviso, that it should be lawful for Robert ffazackerley, the elder, at any time during his life, by his deed or will sealed and published, to demise, grant, devise, appoint, or bequeath to the said Thomas, William, Richard, and Robert ffazackerley, his sons, the high hookes, the fower acre meadow, the three acre meadow, and the two acre meadow, and all or any messuages and lands situate in Liverpool then or late then in the tenure of John Walker, Anthony Moore, and James Southeran, or any of them or any of their assigns, to have during the respective lives of the said Thomas, William, Richard, and Robert ffazackerley, the son, during the life of the longest liver of them, or for any term of years, determinable or to be determined upon the lives of any the said parties or the survivor of them, the said estate or estates made by the said Robert ffazackerley, by virtue of the proviso or power aforesaid; then to the

uses before limited, with a further proviso, that if the said Nicholas die during his father's life without issue male by him begotten then living, having one or more daughters then living, that then the said Robert ffazackerly & his heirs should stand seized of the premises limited to Nicholas for life, unto the uses hereafter mentioned, *viz.*; That if the said Nicholas had only one daughter at the time of his decease, unto the use of such daughter and her assigns until she should out of the rents have levied and received the sum of £200; And if he had two or more daughters, until they and their assigns out of the issues and profits should have received the full sum of £300, to be distributed among them by equal portions, and after to the several uses before limited. He also found that by indenture dated the 4th September, 1641, made between the Robert ffazackerly, the elder, of the one part, and Thomas, William, Richard, and Robert ffazackerley, younger sons of the said Robert, the elder, of the other part, reciting a proviso in the indenture of 20 December, 1638, whereby he reserved a power to grant, demise, &c., to the said Thomas, William, Richard, and Robert ffazackerly, and every or any of them, or to any other person or persons, the grounds, tenements, &c., parcel of the premises in ffazackerley and Walton aforesaid, and all or any the messuages, lands, &c., in Liverpool for and during the lives of the said Thomas, William, Richard, and Robert ffazackerley, the son, and the longest liver of them, or for any term of years, determinable upon their lives. The said Robert ffazackerley, the father, for the preference, and in lieu and recompense of and for such benefit as the said Thomas, William, Richard, and Robert ffazackerley, or any of them, shall or may be entitled to have out of the goods or chattels of the said Robert ffazackerley, the elder, demised to the said Thomas, William, Richard, and Robert, all and singular the said closes and grounds commonly called "the high hookes, the four acre meadow, the three acre meadow, and the 2 acre meadow, and all the messuages and lands, &c., situate in Liverpool, to have to

the said Thomas, William, Richard, & Robert, their executors and assigns, from the day of the date for 99 years, if they or any of them should so long live."

It was deposed by Roger Bryers that he well knew Nicholas, son of the said Ann and Robert ffazackerley, her husband, and Richard and Robert ffazackerley, brothers of the said Nicholas, and that the said Nicholas, Robert, and Richard were then all dead, as he verily believed, for that he, deponent, had married the daughter of the said Robert ffazackerly above twenty years then ago, and had during their lives been well acquainted with the said parties, and believed that none of them had been alive within seven years then preceding, one of them dying in West Chester about 1643 (Robert, the elder), Nicholas died in Liverpool a year after Robert, Robert, the younger, died in the Indies, and Richard in Ireland about the year 1642.

He found the names of Nicholas ffazackerley, then late of ffazackerly, and Robert, then late of Walton, were inserted in the last additional Act for sale. The petitioners had put in their claims before the Commissioners for removing obstructions, and their cases were referred to Mr. S. Nicholas, and he reported the cases as before-mentioned.

Upon hearing, the Commissioners for removing obstructions ordered that the interest and claim of the said Nicholas and the other petitioners be allowed according to the several limitations in the said indentures, and that judgment and determination should be transmitted to the trustees for the sale of the said lands, to be by them entered and observed according to the tenor and purport thereof, and as by the said Act for sale was directed and appointed.

It was deposed by William ffazackerley that Nicholas, who was son and heir to Robert ffazackerley, died about 1643, leaving the petitioner Nicholas (the infant) the first son of his body begotten (and at time of proceedings about seventeen years of age), and that he left the two other petitioners, Thomas and John ffazackerley, the second and third sons of his body begotten.

Petitioner Henry Parr produced an indenture dated 14 April, 1653, made between the said Thomas ffazackerly and William ffazackerly, younger sons of the said Robert, the father, of the one part, and the said Henry Parr of the other; reciting the deed of the 4th of September, 1641. The said Thomas and William ffazackerly, in consideration of £160, granted and assigned to the said Henry Parr, his executors and assigns, all and singular the said lands, tenements, and hereditaments in ffazackerly and Walton aforesaid, and also all the said messuages, lands, &c., in Liverpool, to them limited by their father, to have to the said Henry Parr, his executors, administrators, and assigns, for the residue of the term of years then to come, if they, the said Thomas and William, or either of them, should so long live. The above deed was proved by Thomas Wharton, gentleman, who also deposed that he saw the £160 paid by Henry Parr to the said Thomas and William ffazackerly as the consideration money for the said deed. The said Henry Parr further deposed that he had not released, bargained, sold, or assigned his right, interest, title to all or any the lands or premises in the said indenture mentioned, and that he knew not any matter or reason in law or equity why he should not enjoy the said lands according to the said deed, and he further said that the said deed was sealed, delivered, and made at the same time *bona fide* without power of revocation, and that the sum of £160 was paid by him, or by his directions, to his use in consideration thereof.

It was certified by Mr. ffowles that he had made search in the Books of Seizure of Convicted Recusants for the County of Lancaster, and found a seizure made upon the estate of William ffazackerly, of Allerton, in the said county, the 28th of August, 5^o Car. [1629], and another seizure in the third year of the late King; and he also found a seizure of the estate of Thomas ffazackerly, of Allerton, in the said county, in October, 1635, and in the year 1639; but he did not find any seizure or conviction of William ffazackerly, or Thomas, of Wolton or ffazackerly,

in the said county, and whether the said William and Thomas be not the same men he could not say anything thereto.

It was certified by Mr. Auditor Moyer that the Commissioners for Lancashire in their accounts exhibited 2 June, 1653, the estate of Nicholas ffazackerly, a papist, to be let at £50. 5s. 4d. They certified in regard to Robert ffazackerly, thus: Robert ffazackerly, of Spellow House, a papist delinquent; his whole estate at Spellow House and Diglakes was farmed, but in his own possession valued at £35 a year. Respited in the tenant's hands by order from above, dated 22 October, 1651; and he certified that he did not find William ffazackerly under sequestration, but that Robert ffazackerly, of Walton and Spellow House, was under sequestration for recusancy and delinquency; and further certified that Thomas ffazackerly, of Widnes, and Thomas ffazackerly, of Garston, were sequestered for recusancy, but whether they were the same persons he knew not.

"And this Is all I finde in the said case, which is humbly submitted to Judgm^t. 27 Sep., 1653.

"JO. READINGE."

fo. 804. Order to refer to Mr. Reading, he to report (22 July, 1653).

fo. 805. Petition (22 July, 1653), copy.

fo. 807. Affidavit (copy) of Thomas and William ffazackerly. (Sworn 23 March, 1653[-4].)

fo. 809. Deposition of William ffazakerley. (Sworn 11 August, 1653.)

fo. 811. Deposition of Roger Bryers, sworn same day.

fo. 813. Deposition of Henry Mercer, of Tuebrooke, in West Darby. (Sworn 17 March, 1652[-3].) (Copy.)

fo. 815. Deposition of Roger Bryers, sworn 23 March, 1652[-3].

fo. 817. Deposition of William ffazackerly, sworn 27 September, 1653.

fo. 819. Deposition of Henry Parr, sworn same day.

fo. 821. Second deposition of William ffazakerly, sworn same day.

fo. 823. Deposition of Henry Parr, sworn 8 July, 1653.

fo. 825. Deposition of Thomas Wharton, of London, gentleman, sworn 27 September, 1653. Second, sworn 21 July, 1653.

fo. 829. Certificate as to search made by Thomas fflowle.

fo. 831. Certificate of William Moyer, auditor.

fo. 833. Second certificate.

fo. 835. Third certificate by same.

(First Series, Vol. xcix., No. —, fols. 118, &c.)

fo. 118. Letter dated at Preston, 8 October, 1652, referring to a previous letter of 8 October, 1651, in the case of William Lea, of Pemberton, gentleman, touching an extent sued out by him against the estate of Robert Fazakerley, papist delinquent, upon a judgment of £200 obtained by Lea against Fazakerley; the Commissioners mention that they had taken the examination of Mr. Lea touching his receipts out of the estate by force of the said extent, and that he had not anywise released the same.

fo. 119. Examination of Mr. Lea, of Pemberton, gentleman (7 October, 1652).

fo. 121. Examinations in this matter taken at Preston on the 8th August, 1650. The object was to ascertain the value of Spella House, Mr. Fazakerley's estate. Also examination of John Harpur, of Walton, and Robert Wainewright, of Spella House.

fo. 122. Examinations taken at Preston, 6 August, 1651, of Richard Bradly, of Aspull; of Ellen Fazakerley, of Spello House, spinster, and

fo. 123. of Thomas Turner, of Preston, gentleman.

fo. 126. Letter dated at Preston, 8 October, 1651, signed by Robt. Cunliffe and G. Pigot.

(First Series, Vol. lxxv., No. 2,324, fols. 477, &c.)

fo. 477. Petition from William Lea, of Pemberton, gentleman, which disclosed that petitioner, in the Common

Pleas at Lancaster, recovered against Robert Fazakerley, of Walton *juxta* Liverpool, gentleman, £200 and 40s. costs, which said Robert being then dead, petitioner had an execution for the debt and costs against Anne and Ellen, the executrices of the said Robert, whereupon an elegit was awarded dated 7 August, 1646, and an inquisition returned in the January following, and the elegit executed and possession of the moiety of the lands found in the inquisition delivered to petitioner. Now as the said Robert was a delinquent, and by an Act of Parliament of August 1st, 1650, it was declared that the estates of all delinquents which are entered upon by any person must be compounded for, petitioner prayed to be admitted to a moderate composition, 28 August, 1650. The petitioner to set forth when the judgment was obtained.

fo. 480. Petition, 19 June, 1651.

fo. 481. Petition, October 22nd, 1651.

ff. 501-518. Report, certificates, examinations, and other papers connected with the case.

(First Series, Vol. ci., No. 4,091, fols. 255, &c.)

fo. 258. Letter dated at Wigan, 20 November, 1651, signed by Edw. Aspinwall and G. Pigot, mentioning that in observance of an order of 6 November then instant, made upon the petition of George Venables, gentleman, Margaret, his wife, and Margaret Brown, widow, then late wife of William Brown, executrix of the will of the said William Brown deceased, they had examined witnesses for proof of the matters alleged in the said petition and enclosed copies, and had nothing else to certify.

fo. 255. Examinations taken at Wigan, 17 November, 1651. John Knowles, of Wheston, yeoman, sworn, said he was a witness when William Norres, then late of Speake, Esq., executed the indenture exhibited to deponent, dated 16 June, 17^o Charles I. [1641], made between the said William Norres, on the one part, and William Brown, then late of Whiston, deceased, on the other, and said that the

name John Knowles, endorsed on the deed as a witness, was his proper handwriting, and that the names Thomas Norres and Richard Case, likewise endorsed upon the same indenture, were the proper handwriting of Thomas Norres, son and heir to the said William Norres (who was then living), but Case was dead; and further, that the will in writing shewn to him, purporting to be the last will of the said William Brown, dated 4 July, 1648, was in the handwriting of witness, and was published by William Brown as his last will in the presence of witness and others.

fo. 256. Edward Cooke, of Garston, sworn, said that Thomas Williamson, late of Garston aforesaid, deceased, was in his lifetime seized of a messuage and tenement in Garston under William Norres, Esq., then late of Speake, deceased; the reversion thereof was in the lifetime of the said William Norres granted to William Brown, then late of Whiston, also deceased, for a term of years to commence at the death of Williamson; he died about two years then ago; deponent was present at his death and burial, and that in his lifetime, he having farmed five acres of the said tenement to Thomas Fazakerley, of Allerton, for a certain term of years, which had expired before the death of Williamson, the same having been found in the possession of Fazakerley, was sequestrated for his recusancy, and so continued, although the term had expired and the estate therein had descended to petitioner in right of his wife, Margaret, daughter of the said William Browne, for that he had since the death of Williamson (whose daughter deponent had married) been tenant of the other part of the said tenement.

ff. 259-260. Interrogatories administered to witnesses, and examinations of Thomas Fazakerley and

fo. 261. of George Venables.

fo. 263. Letter dated at Wigan, 17 June, 1653, signed by E. Aspinwall, Nicholas Cunliffe, and Ro. Massey, upon the same subject.

Ann Fearnley, of Warrington, Widow.

(Second Series, Vol. vii., No. 357, fols. 722, &c.)

fo. 722. Delinquency; being an aged woman, she went to Chester when it was a garrison, and lived some time there. Her particular, delivered by one Thomas Bullinge, disclosed that she was seized of a frank tenement during life, remainder to the said Thomas Bullinge and his heirs, of certain lands and tenements lying in Warrington, worth yearly £14 3s. 4d.; her personal estate had been seized by the Committee at Warrington. Fine, £21.

fo. 725. Petition.

fo. 726. Certificate that she took the National Covenant at Warrington, signed

“JO. COE, *Cler.*”

fo. 727. Undertaking by petitioner to perform the obligation. Certificate dated at Preston, 2nd April, 1646, giving her the privilege of living in her own house till further order. Among the signatures is that of J. Bradshaw [High Sheriff].

fo. 732. Particular of her property.

Alexander Fielden.

(First Series, Vol. xcix., No. 3,899, fols. 150, &c.)

fo. 150. Letter dated at Ormeskirke, 27 December, 1651, signed Edw. Aspinwall, Robt. Cunliffe, G. Pigot, mentioning that in observance of an order of the 18th February then last, made upon the petition of the above, they had examined witnesses touching the matters alleged, copies of whose examinations they enclosed.

fo. 151. Examinations of Lettice Edge, of Blackburne, then late known by the name of Lettice Walmsley; of John Wensley, of Blackburn, webster; and

fo. 152. of William Wilkinson, of Brindle, husbandman.

fo. 154. Letter dated at Preston, 10 May, 1652, relating to the same parties, in which the Lancashire Commissioners enclosed copies of the examination of the said Alexander Fielden.

fo. 158. Letter from Preston, dated 27 May, 1653, signed by Edwd. Aspinwall, Nicholas Cunliffe, and Ro. Massey.

Elizabeth ffynche [Finch], of Croston, Widow.

(Second Series, Vol. liv., No. 3,615, fols. 501, &c.)

fo. 501. Particular, by which it appeared she was seized for life of a messuage and small tenement in Croston under Richard Ashton, Esq., containing eight acres of tenement, worth before "these tymes £4 p Ann." Fine, £8 (12 May, 1649).

fo. 503. Petition, in which it appears she was sequestered for adhering to the King's party.

(First Series, Vol. xxxiii., No. —, fols. 299, &c.)

fo. 299. Report by Mr. Reading, dated 20 January, 1654[-5], based upon an order of the 3rd May, 1654, upon the petition of Richard Hodson, of Croston, desiring the removal of the sequestration off certain lands which had been assigned to him and one William Dandy, then deceased, for several uses, by William Finch, also then deceased, and were then under sequestration for the recusancy of Elizabeth Finch, his relict, also then deceased.

Mr. Reading found that by indenture dated the 20th June, 1637, made between the said William French [*sic*] of the one part, and William Dandy and the petitioner of the other, reciting an indenture of lease made to him, 13 April, 1608, by Thomas Ashton, Esq., deceased, and Richard Ashton, gentleman, son and heir of the said Thomas, of all that messuage and tenement, with the appurtenances, in Croston aforesaid, in the occupation of the said William

Finch, to have and to hold to the said William Finch and his assigns during the natural life and lives of the said William Finch, Elizabeth his wife, and Margaret, daughter of the said William and Elizabeth, and the life of the longest liver of them, at a yearly rental of 21s. 2d., the said William Finch, for the considerations therein expressed, granted and assigned to the said William Dandy and Richard Hodson the said messuage and tenement

fo. 300. to have and to hold to the said William Dandy and Richard Hodson, their executors, administrators, and assigns, from the day of the date thereof, for ninety-nine years if the said William Finch, Elizabeth, and Margaret, then wife of Thomas Worsley, or any of them, should so long live, upon trust that they, the said William Dandy and Richard Hodson, shall permit the said William Finch and his assigns to enjoy the said messuage, tenement, and premises for his life, and after his decease then they should permit Elizabeth, wife of the said William, to enjoy the said messuage, tenement, and premises, with the appurtenances, for and during the term of her "sole and chaste and unmarried life," and after their decease then they should permit Ellen Finch, daughter of the said William and Elizabeth, and her assigns, and the issue of her body lawfully begotten or to be begotten, and their assigns, to enjoy the said messuage, tenement, and premises for the whole term of the said indenture of lease, and all tenant right, interest, and title, the said Ellen marrying with the consent of the said Dandy and Hodson. Provided the said Ellen Finch, or her assigns, paid to her four youngest sisters, Jennet, Alice, Elizabeth, and Ann Finch (daughters of the said William and Elizabeth his wife) £40, equally to be divided among them, within eighteen months after the death of the said William and Elizabeth, but in default of payment of the said £40, then the said William Dandy and Richard Hodson should, after the decease of the said William and Elizabeth, receive the yearly profits of the said messuage, &c., until they should have received the said sum of £40, if the said lease so

long continued, equally to be divided among the said sisters, and for want of issue of the said Ellen, after her decease, then the said William Dandy and Richard Hodson should stand seized of the said messuage for the whole term of the lease, and all tenant right, &c., to the use and behoof of Jennet Finch, daughter of the said William and Elizabeth his wife, and her assigns, and the issues of her body, with like remainder to Alice, Elizabeth, and Ann, with a similar proviso as to the payment of the £40 equally to be divided among so many of the sisters as should then be living, or their issue; provided also if the said Ellen died without issue, leaving a husband possessed of the premises in right of his said wife, the said husband in the lifetime of the said Ellen having paid the said £40 or part thereof, being upon the death of the said Ellen to leave the premises, then the said Jennet or her assigns, and her lawful issue and their assigns, or else whichsoever of the sisters should be first interested in the premises, should repay to the said husband of the said Ellen, or his assigns, all or so much of the £40 as he the husband had paid in the lifetime of his wife; in default the said William Dandy and Richard Hodson should, after the death of the said Ellen (she dying without issue), receive yearly the profits of the premises until the said £40, or so much as shall be due, be repaid to the said surviving husband (if the said indenture of lease so long continued), with a power of revocation in the said William Finch at any time during his life upon tender of 6d., before two or more credible witnesses, to the said William Dandy and Richard Hodson, to the intent to revoke the same, as by the said indenture (produced) appeared.

William Grodell, one of the witnesses subscribed, proved the execution, sealing, and delivery of the same, and he further deposed that he verily believed before the sequestration of the two parts of the premises, the whole messuage had been disposed of according to the form, true intent, and meaning of the said indenture, and that since the sequestration the third part (not sequestered), had been

disposed of to the respective uses of the said indenture limited. In cross-examination, he deposed that the said Elizabeth Finch had no other right or title to the premises save her life interest, and that he knew nothing in law or equity why the said estate should have remained under sequestration. He also deposed that the said Elizabeth Finch, relict of William, died in April then last (1654), and that he was at her burial.

As to the death of the said Elizabeth, Thomas Wignens, another witness, also deposed.

The Lancashire Commissioners, in transmitting the depositions, certified that two parts had been sequestered in the year 1649 for the recusancy of Elizabeth Finch deceased.

Edward Wignall, examined before the Lancashire Commissioners, deposed that the said William Finch died about fourteen years then ago, and that he was present at his burial; that Margaret, daughter of the said William and Elizabeth, and wife of Thomas Worsley, was living, and that he had seen her in good health on the Wednesday preceding; and that the said Ellen, daughter of the said William Finch, who was wife of William Hoghton, was living and a Protestant, and that he had heard the said tenement should have come to her on payment of £40 to her sisters.

This was all he found (first referring to certain certificates as to the parties interested), and which he submitted to judgment.

fo. 307. Reference to Lancashire Commissioners.

fo. 309. Petition (copy) (3 May, 1654).

fo. 312. Copy of a communication dated at Wigan, 22 May, 1654 (without signatures), mentioning what steps had been taken, enclosing copies of the examinations and other matters connected with the case.

fo. 313. Interrogatories administered on behalf of the petitioners at Wigan, on the 24th May, 1654.

fo. 315. Examination of William Grodell, of Croston, husbandman.

- fo. 317. Interrogatories on behalf of the Commonwealth.
- fo. 318. Cross-examination of William Grodell.
- fo. 321. Communication from Lancashire Commissioners, dated at Preston, October 24th, 1654, signed by E. Aspinwall and Ro: Massey, enclosing copies of the examinations.
- fo. 323. Interrogatories then administered.
- fo. 324. Examinations of Edward Wignall, of Croston, husbandman, and William Farrington.
- fo. 326. Cross-interrogatories.
- fo. 327. Answers.
- fo. 329. Certificate as to what proceedings had been taken in the case (10 June, 1654), signed T. Bayly.
- fo. 331. Certificate, exhibiting that Richard Hodgson was tenant under the State of the tenement, at a rental of £3. 6s. 10d. per annum (November 28th, 1654); signed by Thos. Browne, auditor.
- fo. 334. Certificate, exhibiting that the estate had been seized on the 10th October, 13 [? 18] Charles I., for the recusancy of Elizabeth Finch; no records against the daughters.
- fo. 343. Petition, 3 May, 1654. Commissioners to certify; referred to Mr. Reading.
- fo. 346. Petition, 1 August, 1654. Commissioners to examine as desired.
- fo. 347. Petition, 29 December, 1653. Referred to Mr. Reading to report.

Thomas Finch, of Mawdesley, Yeoman.

(First Series, Vol. xxv., No. 741, fol. 488.)

fo. 488. Petition, which shewed that two third parts of petitioner's estate were under sequestration for his recusancy only. He prayed that, in accordance with the provisions of the Act of 21 October, 1653, he might be admitted to contract (17 January, 1653[-4]). "Referred to Mr. Brereton."

Ralph Fincham, of Caton, Gentleman.

(Second Series, Vol. xxx., No. 1,620, fols. 563, &c.)

Delinquency, adhering to the King's army against the Parliament. He compounded on a particular which disclosed that he was seized in fee of a messuage and lands in Caton, worth £40 a year; personal estate, £30.

fo. 566. Petition.

fo. 567. Particular.

fo. 569. Second petition, in which he says that he took the National Covenant in 1643; that he maintained a horseman and arms under several captains in the service of the Parliament; that he conformed readily in all things, ordinances, &c., of Parliament; was living in the lines between two garrisons, within four miles of Lancaster and two of Forness Castle; was daily suffering great losses.

fo. 571. Another petition, in which he mentions that his losses in goods had been to the extent of £300, taken partly by both sides. This petition is signed by

JO: JACKSON, marke



JOHN RAPH [P]

EDWARD WILSON.

JOHN HODGSON.

WILLIAM SCEARELLS marke ✓

JOHN DOBEN.

JOHN SWANSON's marke 8

JAMES THORNTON. WILLIAM GREEN 9 marke.

WILLM LEAKE. THOMAS DOBSON. HENRY PORTER.

JOHN WALKER. THOMAS WOODS. JAMES SCHOOLCROSS,

THOMAS HENRY.

Minister.

GILBERT TOMPSON.


THOMAS MEDCALFFE.

THOMAS GURSTOLUNE,

WILLIAM DOBSON.

marke.

JOHN TOMPSON's I marke.

RICH. HODGSON, marke 

THOMAS SELLS, mark



ALLAN THORNTON A marke.

LAWRENCE TURNOR.

WILLIAM WALLER.

GEORGE GIBSSOUN.

[These names are not in exactly the same positions as in the original.]

fo. 572. "Apud Claughton, february the fourth, 1643[-4].

"Theis are to Certifie all whom it may Concern, that
Raphl. ff did this present day take the Couën^t in
the pish Church of Claug . . . the Congregation then
assembled; witness my hand,

"EDW. ELSTON,

"Minister of god's wo[rd]."

fo. 513. Certificate, signed by Tho. Vincent, that petitioner took the Negative Oath, 3 June, 1647. Fine, £125 (22 November, 1647).

James Fish, of Brindle.

(First Series, Vol. lxxxi., No. 2,566, fols. 358, &c.)

fo. 358. Petition shewing that two thirds of his estate had been sequestered for his recusancy; he now prayed to be admitted to contract for the same (14 December, 1653). Referred to Mr. Reading.

ff. 359-368. Other petitions and papers referring to the case.

John Fleetwood, of Penwortham, Esq.

(Second Series, Vol. xxxi., No. 1,649, fols. 53, &c.)

fo. 53. Delinquency, he sent men and arms upon the sheriff's warrant to assist the forces raised against the Parliament. He compounded upon a particular which disclosed that he was seized of an estate in fee of one capital messuage and lands, a wind and corn mill in Penwortham, and of a free fishing in the river of Ribble, and of a liberty of turbary upon the wastes in Farrington, Hutton, and Longton, and of a messuage in Farrington, and of other lands in Penwortham, Preston, Loughford, and Leyland, worth yearly £50. 3s. 4d. Also of an estate for life in certain glebe lands, parcel of the demesne of Penwortham, and of certain tithes in the rectory of Penwortham and

Leyland, worth yearly £291. 13s. 4d. The said last estate was conveyed by Richard Fleetwood, grandfather of compounder, by deed dated 6 July, 1^o Charles [1624], to trustees for the payment of debts, and after for life to his first, second, and so on to the eighth son, and to the heirs male of their bodies, remainder to compounder's brothers and their heirs, remainder to Henry and Richard Fleetwood, compounder's uncles, and their heirs male, remainder to the right heirs of the said Richard, the grandfather. Compounder claimed a deduction of £80 a year, being an annuity of £40 a year each to his two uncles, Henry and Richard. Also 40s. a year issuing out of Penwortham Rectory to the Bishop of Chester for ever. Personal estate in debts, desperate and doubtful, £175. Fine, £617. 3s. 4d. (December 27th, 1647).

fo. 55. He had omitted in first particular a message in Farrington, worth £5 a year, let last year for £5, "but this year a stranger that pretends tenant right to it, only to get into possession thereof, hath promised to pay £12." Additional fine, £24.

fo. 58. Petition.

fo. 59. Report from the Committee of the County of Lancaster to Committee at Goldsmiths' Hall, describing conduct of compounder, namely, that in November and December, 1642, upon a warrant of the Sheriff (Sir John Girlington) he had sent his servants and tenants to aid the King's forces; in February following he rendered himself to Colonel Shuttleworth and Colonel Holland, subscribed before them, paid his proposition (£200) to the Parliamentary Treasurers, and other matters; signed by Richard Hoghton, Ric: Shuttleworth, John Holcrofte, and Will: Langton.

fo. 61. Particular of his estate.

(First Series, Vol. xxv., No. 767, fols. 1, 126, &c.)

fo. 1, 126. Petition, which shewed that on 22 December, 1647, he compounded for his estate, and paid a moiety of the fine, giving security for the remainder, and the

sequestration was taken off, and as to such parts of his estate as had been leased out by the Committee, petitioner should satisfy himself with the rents for which they had been set. The Lancashire Committee made the order, but the Sequestration Agents for the district refused to obey it, by refusing to deliver up certain securities by them taken for certain tithes (part of petitioner's estate and compounded for) which had been let by them for the year 1647, but the rent not payable until about the 1st May, 1648, alleging, notwithstanding the order, that the said rents ought not to be paid to petitioner.

Prayed for the London Commissioners' opinion on the matter, and if they saw cause, a further order directing the said Committee and their agents to deliver and assign the said securities to petitioner, or, if they had received the rents, to pay them to petitioner (16 June, 1648).

No order made on this petition.

fo. 1,127. Order to the Lancashire Committee from the Committee at Goldsmith Hall, dated 22 December, 1647, referred to in petition.

fo. 1,129. "Wigan, in Corn. Lancr. Att y^e Committee, 30 Feby., 1647[-8]." Order to the Sequestration Agents referred to in petition, signed by Peter Egerton, Edward Butterworth, J. Bradshaw.

Sir Richard Fleetwood.

RE A PETITION FROM WILLIAM OSBORNE.¹

(First Series, Vol. cxiii., No. —, fols. 495, &c.)

fo. 495. Order (24 May, 1650), permitting William Osborne to recover the debt and damages due to him by the above, out of the estate extended by him according to the orders of the then late Committee of Lords and Commons for Sequestrations, and directing that he should

¹ Of Carleton Hall, in the county of Suffolk.

from time to time account for what moneys he had received upon the extent until he was satisfied.

fo. 496. Second order, dated 26 February, 1650[-1], directing the Lancashire Commissioners to forward, under seal, all papers in their possession connected with the account, reserving to Mr. Foule, solicitor for the Commonwealth, liberty to take exceptions to the account.

(First Series, Vol. xlviii., No. 1,470, fols. 408, &c.)

ff. 587-9. Report of John Bradshaw on a petition from William Osborne, a prisoner in the Upper Bench, by which it appears that petitioner had advanced the sum of £1,500 to Sir Richard Fleetwood, baronet, and the latter had given divers lands in Lancaster and Stafford as security. Petitioner, in some former proceedings, swore that he had paid one £1,000, which was so paid on an agreement that petitioner was to receive for twenty-one years £125 yearly. Sir Richard acknowledged that for the space of eighteen years this sum had not been paid, nor had petitioner received the profits issuing out of the lands. Petitioner deposed that he sued out several writs of elegit upon recognizance, and extended a moiety of the said Sir Richard Fleetwood's lands in the said counties, and he deposed that neither he nor any person for his use had received more than £250 out of the said extended premises, and that he had discharged in necessary expenses about the said extent upwards of £300; that the arrears of the annuity, interest, and charges amounted to upwards of £5,000, as by the former report appeared; upon making of which report it was, on 21 July, 1647, ordered by the Committee for Sequestrations (in London) that the report should be allowed and confirmed, and that petitioner should either be paid principal and interest by the Committees of Lancashire and Stafford, or else be permitted to take the benefit of his recognizance and extent until he were satisfied according to law, notwithstanding the sequestration; the petitioner from time to time to give an account of what he

received by virtue of the extent in the said counties to the several County Committees until he were satisfied, and the said Committees were to compute what was really due to petitioner for principal and interest of the said annuities, and to allow what was justly due with least charge to the State, and to certify their proceedings to the Committee above from time to time.

Mr. Reading further found that another *liberate* issued, bearing date *teste* 4 May then last (1648), wherein the said recognizance and proceedings, &c., were recited, which shewed that the last-mentioned *liberate* was directed to the Sheriff of Staffordshire, whereupon an inquisition was taken, 7 June, 1648, whereby it was shewn that the said Sir Richard above and besides the lands in the return of the said writ mentioned, was seized of other lands, &c., in the said county (Stafford), the moiety of which were delivered to petitioner to hold to him as his freehold until the said £1,500 should have been levied, as by a copy of the last-mentioned extent appeared, and these last premises had been sequestered for the recusancy of the said Sir Richard; so it was submitted to judgment whether petitioner ought not to have the last-mentioned premises allowed to him for satisfaction of his principal and interest, he giving from time to time such an account as by the said former order was directed (dated 11 August, 1648).

ff. 408-412. Copies of receipts of sums of moneys received by petitioner from his collectors on the several estates (1652-3).

fo. 417. Affidavit of Thomas Rothwell, stating what sums he had paid to petitioner out of the estates.

fo. 419. Affidavit of petitioner and his son John, sworn in 1651, as to the extent, &c., and that Sir Richard Fleetwood had died about March, 1650.

fo. 421. Petition, which shewed that petitioner was a prisoner in the Upper Bench, and had been peremptorily summoned to appear on the then present Saturday (18 November, 1654), in connection with certain particulars in a case depending between him and Sir Thomas Fleet-

wood ; as he could not go forth from the prison in obedience to the summons, he prayed that they would either direct the marshal to allow him to go out, or grant an extension of time, that he might confer with his counsel, and thus be enabled to satisfy the demands they made upon him. There is a stenographic memorandum on the margin, from some words in which it would appear the marshal was directed to let petitioner attend.

ff. 425-432. Particulars of moneys received by petitioner in Newton for five years, giving the names (but not residences) of all the persons who paid. The document contains the names of rack-renters and the chief rents. It was transmitted by the Lancashire Commissioners, 6 May, 1651, as

fo. 433. appears by a communication of theirs dated at Preston on that day, signed by Peter Holt, Robt. Cunliffe, and G. Pigot.

fo. 435. Certified statement of the account, drawn up by Ri: Sherwyn, auditor in chief, dated June 12th, 1653. It shows a balance due to the State by petitioner of £492. 4s. 6d.

fo. 437. By this document, which emanated from the Commissioners for Compounding, it would appear that petitioner made his accounts up by the old values ; the preceding was calculated on the "extended value," and the Commissioners decided to proceed on this basis.

fo. 439. Affidavit of petitioner.

fo. 441. Affidavit of Henry Hurst, of Kenion, co. Lancaster.

fo. 443. Petition, referring to the above decision of the Commissioners after (apparently) consulting the Master of the Rolls touching the practice in Chancery, whether petitioner ought to account for the profits according to the improved or extended value. Upon hearing counsel for Sir Thomas Fleetwood and petitioner, it was decided to proceed on the value, and accordingly petitioner had entered upon his account with the auditor ; but Sir Thomas Fleetwood, as petitioner alleged, to hinder the Common-

wealth or petitioner from receiving the profits of the estate, had then lately suffered a judgment to be obtained against him by *nihil dicit*, and thereupon the Sheriff of Lancaster had seized upon £300 worth of corn, and was then reaping and "Inninge" the same, and gathering the rents from the tenants; petitioner therefore prayed that an order might at once issue directing the Commissioners in those counties to take possession of the corn (31 August, 1653). This prayer was granted, and imperative orders were given to take care for the future to preserve the estate from such seizures.

fo. 451. Another statement by Mr. Sherwyn, auditor, dated June 7th, 1651, which ought to have preceded the one on folio 435. This exhibits the accounts between petitioner and Sir Richard or Sir Thomas Fleetwood, and shews a balance of over £5,500 due to petitioner.

fo. 453. Order dated 22 January, 1650[-1], ordering estate to remain in petitioner's hands, he to account.

ff. 455-7. Affidavit of petitioner, sworn 1651, in which he gives a resumé of the whole matter between him and Sir Richard Fleetwood, and the litigation.

ff. 457-462. Lists of moneys received; no names of tenants.

fo. 463. Affidavit of John Osborne, of Wansden Hall, Suffolk, gentleman, son of petitioner.

ff. 466-472. Contain papers not relating to this case.

ff. 473-560. Five separate rent account books, giving the receipts and expenditure for five years, names of tenants, amounts each paid, particulars of disbursements, nature of work done, amount paid for it, and name of person to whom paid, also date of payment.

fo. 561. Affidavit of Henry Hurst, of Kenyon, yeoman, and of John Osborne, son of petitioner.

fo. 562. Affidavit of petitioner.

fo. 563. Affidavit of Thomas Blackburne, of Newton, yeoman.

ff. 565-572. Report by Mr. Brereton, dated November 6th, 1651. After reviewing at great length the different

points in the case, he stated that it had been referred to him to state petitioner's case on all the orders and proceedings had and made therein, which "I have done as above [referring to his report] with all the brevity and perspicuitie that a cause so long depending, and whereon so many orders have bin made, is capable off, and submit all to yo^r Judgmt."

fo. 573. Order of reference to Mr. Brereton.

ff. 575-592. Other papers (including Mr. Bradshaw's, above mentioned) in the case.

fo. 622. Petition.

ff. 623-4. An account by Mr. Sherwyn, auditor.

ff. 625-674. Various papers relating to the case, including petitions, orders, statements, affidavits, &c.

(First Series, Vol. c., No. 3,995, fols. 113, &c.)

fo. 113. Letter dated at Wigan, 20th of November, 1651, signed by Edw. Aspinwall and G. Pigot, mentioning that on the 4th October then last they had received from the hands of Thomas Rothwell, servant to Sir Thomas Fleetwood, baronet, their honours' order of the 3rd of July preceding, requiring them to examine witnesses for proof of the account of William Osborne, for what rents and profits he had received out of the estate then late of Sir Richard Fleetwood, a papist delinquent, and to the exceptions and surcharge on the behalf of the Commonwealth, and to the answer of the said William Osborne, and to return the same within six weeks. They had waited expecting some witnesses would have been produced, but at the time the letter was written none had been, neither had they seen the exceptions or surcharge mentioned in the petition, nor any other account but what had then long since been taken on oath before them, and copies sent to their honours.

fo. 116. Letter dated at Lancaster, 19 March, 1652[-3], signed by E. Aspinwall and John Saurey, mentioning that a case then formerly depending before their honours,

touching the moiety of the manor of Newton-in-Makerfield, theretofore the estate of Sir Richard Fleetwood, baronet, deceased, a papist delinquent, and extended at the suit of William Osborne, gentleman, had then lately (as they were informed) come to a hearing before their honours, and the said estate had been adjudged sequestrable for the popery and delinquency of the said Sir Richard Fleetwood; but at this time no order had come to their hands for the sequestration thereof, and, as a great part of the said estate lay waste (as they were likewise informed), no care being taken for the letting thereof, they humbly desired that if there were any such orders passed, that the same might be speedily sent down, to the end that they (the Lancashire Commissioners) might take care for the letting thereof to the best advantage of the Commonwealth, otherwise the time of year for letting estates would be so far spent that a great part of the profits for the then present year would in all probability be lost, which fact they commended to their honours' consideration.

fo. 119. Letter from Prescott, dated 30 August, 1653, signed by E. Aspinwall and Ro: Massey, mentioning that by orders received from their honours, one dated 14 January, 1651[-2], the other 13 July, 1652, made upon the petition of William Osborne, gentleman, they were required to take care that the then tenants of Sir Richard Fleetwood were not molested in the quiet enjoyment of the lands extended by William Osborne, gentleman, and being informed that the business came to a hearing and the estate had been adjudged sequestrable, they sent to their honours by theirs of 19 March, 1652[-3], for directions therein, and on the 5th of April afterwards they received an order in the petitioner's case, dated 14 October, 1652, whereby they were required to seize the lands of the said Sir Richard Fleetwood, and to receive the rents and profits, and in observance thereof (being that the time of the year for posting and letting estates had past before the receipt of the order) they took security from the then tenants to be

responsible for the whole profits for that year. And whereas, Mr. William Wall, under-sheriff of the county of Lancaster, contrary to orders from above after he had received notice thereof, had given possession of the said lands to one Mr. Barron, lessor of Sir Thomas Fleetwood, and outed the tenants, as appeared by the information of Henry Hurst (copy enclosed), they therefore thought it their duty to acquaint their honours, that some redress might speedily be applied, as their honours in their wise consideration should seem most meet.

fo. 117. The information of Henry Hurst, of Kenison, who, sworn, said that on the 30th of April, 1653, he, together with Evan Wall, of Preston, gentleman, shewed and read to Thomas Duckworth, gentleman (who acted and took upon himself the power of being under-sheriff), two orders from the Commissioners for Compounding, both made upon the petition of William Osborne, gentleman, whereby it was amongst other things ordered that the Commissioners for Sequestration in the Counties of Lancaster and Stafford should take care that the then tenants of the lands extended by Mr. Osborne against Sir Richard Fleetwood should enjoy the same quietly, and Mr. Duckworth said he knew nothing of the business, but if he should know he would acquaint the said Mr. Evan Wall therewith; and examinant further said that on the 17th August, 1653, William Wall, gentleman, then under-sheriff, came to the town of Newton, and before he delivered of the said extended lands to Mr. Arthur Barron (lessee thereof from Sir Thomas Fleetwood) examinant acquainted him with both the said orders by delivering copies thereof, and told him if he delivered possession it should be at his peril. Mr. Wall said he should take no notice of the said orders, and immediately he went to the hall and mill at Newton and broke open the doors thereof, and afterwards went to several closes of the extended land and delivered possession to the said Mr. Barron, and so entered into quiet enjoyment of the tenants of the said Mr. Osborne. And he further said that the corn growing and "shorn" in the fields

called Broomheys and the Park of the said extended estate was valued at £94. 2s. 6d. by four honest men, and was then worth at least £20 less.¹

RE A PETITION FROM PHILLIP ROPER, GENTLEMAN.

(First Series, Vol. liv., No. 1,710, fol. 499.)

Petition from Philip Roper, gentleman, setting forth that Sir Richard Fleetwood, then late of Chalwidge [Colwich], in the county of Stafford, knight, had demised to petitioner for a term of two hundred years certain lands lying within the parish of Winwicke, co. Lancaster, called Barker close and Lodge close, containing by estimation 117 acres, at a peppercorn rent. That petitioner the same year re-demised the said lands to Sir Richard Fleetwood for 199 years, for and in consideration of a yearly rental of £30, with a proviso that if any rent should be behind and unpaid for the space of half a year then the petitioner might re-enter into all the premises, &c.

As the avocation petitioner followed took him beyond the seas, he, on the 12th June, 22^o Jacobi [1624], by a deed in trust, assigned over to the Right Hon. John Baron, of Teynham, all his right and title to the premises and said rent of £30 a year, which trust had been faithfully performed by the said Baron, his administrators and assigns. That petitioner's land had been sequestered by the Lancashire Commissioners as the land of Sir Richard Fleetwood, for his delinquency. Petitioner never having acted against the Parliament, "beeing above fourescore yeares of age, and deafe, and unable long to attend yo^r hono^{rs} for his releife," he prayed that his writings might be examined, &c.; 21 April, 1651. "The Co^{rs} to certify, and then to Mr. Reading."

¹See also the papers of Sir Thomas Fleetwood in connection with the case of William Osborne.

(First Series, Vol. c., No. 3,993, fols. 103, &c.)

fo. 107. Letter dated at Warrington, 4 July, 1653, signed by Nicholas Cunliffe and Ro: Massey, mentioning that upon the petition of Phillipp Roper, gentleman, alleging that Sir Richard Fleetwood, knight, then deceased, by lease dated 1 December, 21 (?) Jacobi, in consideration of £300, demised to petitioner for a term of two hundred years certain lands in the parish of Winwicke, called Barker close and Lodge close, containing 117 acres, and that Roper in the same year re-demised it to the said Sir Richard Fleetwood for 199 years, in consideration of a yearly rent of £30 to be paid to the petitioner during the said term, they were required to examine the matter of the said petition with witnesses on oath, and to certify the cause of the sequestration. In observance thereof, they certified that neither the petitioner, nor any on his behalf, at any time to their knowledge, either before them or the former Commissioners, produced any witnesses for proof of the matters alleged in the petition, and that, as they conceived, was the reason why the same had not up to that time been certified; and, having perused the survey of Sir Thomas Fleetwood's estate, formerly belonging to his father, made by Mr. Aspinwall, one of their fellow Commissioners (a copy whereof was enclosed), they did not find any such close as Barker close mentioned, only Lodge close, containing twenty-six acres, which, during the lifetime of Sir Richard Fleetwood, was under sequestration for his popery and delinquency, and after his death two thirds of it only were sequestrated for the recusancy of his son the said Sir Thomas Fleetwood, as by an order (dated 17 October, 1650) appeared.

fo. 103. Order referred to above.

fo. 105. Particulars of the estate also referred to above.

RE A PETITION FROM THOMAS ROTHWELL, GENTLEMAN.

(First Series, Vol. liv., No. 1,713, fols. 571, &c.)

fo. 605. Petition from Thomas Rothwell, of Newton, gentleman, which disclosed that Thomas Fleetwood, Esq. (afterwards Sir Thomas), did in November, in the 16th year of the then late King [1640], convey the manors of Newton and Cuerdon to petitioner and another in trust to make sale thereof (after the death of his father, Sir Richard Fleetwood) for payment of debts and raising portions for his younger children.

That Sir Richard died about (then) eight years ago (1646), but by reason of an extent that lay upon the said manors (but lately then cleared), petitioners were unable to sell the property. That petitioner's co-feoffee was also dead. The entire interest rested in petitioner, who was unable to perform the trust because of the sequestration of two parts of the said premises for the recusancy of the said Sir Thomas Fleetwood.

He therefore prayed for a reference to counsel to state, in order that the sequestration might be discharged and the land sold; 19 December, 1654. "The Com^{rs} in the Country to examine & certify, & Mr Reading to Report."

ff. 571-9. Report of Mr. Reading, dated 20 May, 1654, based on an order of 14 December, 1654. He found that by an indenture dated 9 November, 164[0], made between Thomas Fleetwood, son and heir apparent of Sir Richard Fleetwood, baronet, of the one part, and Robert Port and Thomas Rothwell (petitioner) of the other, the said Thomas Fleetwood in consideration of five shillings granted to the said Robert Port and Thomas Rothwell, their executors, administrators, and assigns, all those the manors of Newton and Cuerdon with the rights, &c., thereunto belonging, and all messuages, lands, tenements, rents, reversions, &c., markets, fairs, Courts Leet, views of frank pledge, and all all that to view of frank pledge appertaineth, and all other profits whatsoever, with the appurtenances of him the said

Thomas Fleetwood in Newton and Cuerdon aforesaid, and in Lawton, Leigh, Penington, Makerfeild, Eccles *alias* Egresfeild, Golbourn, Kenion, Croft, Southworth, Middleton, Arbery, Hoghton, Fearn-head, Poulton, Woolston, Holm, Winwick, Ashton, Pemberton, Orrell, Billingly, Winstanley, Ince, Hindley, Abraham within the Fee Makerfield, and Preston, or elsewhere within the said county of Lancaster, to have and to hold to them, their executors, administrators, and assigns, from Michaelmas then last past, for one whole year, under a peppercorn rent, as appeared by the said indenture (produced and proved by Richard Clayton, one of the witnesses endorsed). That by another indenture dated 10 November, 1640, between the same parties, reciting the former indenture, the said Thomas Fleetwood for divers good causes and considerations did grant, release, and confirm, and for ever quit claim to the said Robert Port and Thomas Rothwell and their assigns, the said manors, to have and to hold to them and their heirs for ever, upon trust that they should permit Thomas Fleetwood and his assigns to receive the issues during the life of the said Sir Richard for his maintenance, and after the death of the said Sir Richard they should sell the property to the best advantage, and dispose of the money as follows: £1,500 for a marriage portion for Ann, daughter of Thomas Fleetwood, to be paid to her when she attained the age of eighteen, or on the day of her marriage (she marrying with her father's consent); also £500 for a portion for Thomas, son of the said Thomas Fleetwood, to be paid when he attained twenty-one years of age; and £100 each to every other daughter, and £500 for every other son begotten by the said Thomas on the body of Gertrude, his wife; the remaining sum to be devoted to paying the debts of the said Thomas Fleetwood, balance to the use of the said Thomas Fleetwood and his heirs for ever, and to no other purpose. After a lengthy review of other matters bearing on the case, he concluded by saying,¹ "And this is all I find in the said case, which is submitted to Judgment."

¹ This meant that petitioner had not proved his case.

fo. 581. Reference to Lancashire Commissioners.

fo. 583. Copy petition.

ff. 585-6. Communication from Lancashire Commissioners, dated at Warrington, 8 February, 1654[-5], signed by E. Aspinwall and Ro: Massey.

fo. 587. Order allowing William Osborne to collect the £1,500, with damages for non-payment due to him, and for which he held an extent on the lands of the then late Sir Richard Fleetwood; the said Osborne from time to time to render an account shewing what moneys he had then received (27 February, 1654[-5]).

fo. 588. Document relating to the same subject.

fo. 589. Order allowing Sir Thomas Fleetwood, on his appeal for the discharge of his estate from sequestration, one third of the profits, the other two thirds to remain under sequestration, he also to have the arrears accrued on the third from 20 October, 1652 (27 February, 1654[-5]).

fo. 590. Letter to Lancashire Commissioners to forbear letting the sequestered parts of Sir Thomas Fleetwood's estate, then formerly held in the extent of William Osborne, till further orders from the Commissioners above (27 February, 1654[-5]).

fo. 591. Affidavit of Thomas Rothwell, of Newton, co. Lancaster, gentleman, sworn in London before the Commissioners (20 February, 1654[-5]).

fo. 593. Affidavit of Sir Thomas Fleetwood.

fo. 595. Certificate exhibiting proceedings taken.

fo. 597. Affidavit of Richard Clayton, of the parish of St. Paul's, Covent Garden, gentleman, sworn the same day.

fo. 599. Second affidavit of Sir Thomas Fleetwood, sworn 6 March, 1654[-5], in which he mentions that he had one daughter, Anne, then living, of the age of nineteen years, and three younger sons, named Thomas, Rowland, and William, the first fifteen, the second eleven, and the youngest eight years of age.

ff. 601-603. Official certificates relating to rents and personal property.

- fo. 605. Thomas Rothwell's¹ petition.
 fo. 607. Affidavit of same, sworn 16 March, 1652[-3].
 fo. 609. Order of reference to Mr. Reading.
 fo. 611. Petition by Thomas Rothwell.
 fo. 613. Another report by Mr. Reading, 20 July, 1652.
 (This relates to a parcel of ground lying in Newton, demised to petitioner by Sir Richard Fleetwood for a term of years in consideration of service done and to be done).
 ff. 617-624. Papers connected with the case.

Sir Thomas Fleetwood, of Newton, Knight.

(First Series, Vol. xxv., No. 767, fols. 1,064, &c.)

fo. 1,134. Petition, praying for orders to the Committees of Lancashire and Staffordshire to shew for what cause his estates had been sequestrated (20 October, 1650). Granted; to be referred to Mr. Brereton.

fo. 1,137. Petition (1 September, 1652).

fo. 1,139. Petition (1 September, 1652).

fo. 1,142. Petition (2 July, 1650).

fo. 1,147.

"Cheadle, in Corn.)
 Staffs., 6^o die Maij,
 1650.

"Informa^con² of witnesses concerning the delinquencie of Sir Thomas fleetwood, Barronett, taken upon oath before John Goreinge, John Ashenhurst, and Thomas Gent, Com^{rs} for Seq^cons in the Countie of Stafford.

"Thomas Cockes, of Ellaston, in the said Countie, blacksmith, informeth,

"That hee did make diuers little plates of Iron for S^r Thomas fleetwoodd to sett upon his Doores; And

¹ It is not clear whether this Thomas Rothwell is identical with the Thomas Rothwell in the former part of the case, as in the former he is styled "Gent," in this "Yeoman."

² Although relating to Staffordshire, these depositions are inserted on account of the reference to Lancashire.

that hee hath heard that the said Sr Thomas did Barri-cadoe his windows wth stone, and that hee made holes in his Doores, like unto Loopholes; And that hee, this informante, did then thinke that the said Sr Thomas fleetwood made the worke against the Parliament; But the said Sr Thomas proffessed that hee did it onelie to secure his house against theeues.

"And further saith that he lost above one hundred pounds by the Garrison kept in Sr Richard fleetwood's house, at Woulton parke, and that he was then afraid of sufferinge damage by the said Sr Thomas fleetwood's house.

"The Informaçon of John Bull, of Wootton, husbandman, taken *ut supra*,

"Saith that in the time of the late Wars he was in the said Sr Thomas fleetwoode's house and saw his windows walled upp wth stone on the inside, and his Door^s plated wth Iron and Loopholes in them.

"The Informaçon of Richard Ethrington, of Wootton, in the said County, Yeomⁿ, taken *ut supra*,

"Saith that in the time of the late warres hee sawe the Doore at Sr Thomas fleetwood's house plated wth Iron and Loopholes in it. And that he belieueth that it was done to keepe out the Parliament Souldiers. And further saith that one Humfrie Langford, formerlie a servant to Sr Thomas fleetwood, tould him, this Informante, that hee once went forth of that house to perswade wth Captaine Hope's Souldie^{rs} whoe had taken some of his M^r his horses. And that when he came in againe his M^r blamed him for soe doeinge, and said that if the said Langford had not been amongst them hee had Levelled or laid a peece & could have shott them.

"The informaçon of Rafe Weildinge, taken uppon oath before John Goringe, John Ashenhurste, & Thomas Gent, esq^{rs}, the 26th Daie of March, Anno Dⁿⁱ 1650,

"Whoe saith That M^r Thomas fleetwood, of Colwich, did in 1643, in the beginnige of Januarie, send a graymare

to Leiftennant Col: Eyre for the Kinge's seruice, and a while after a bay geldinge for the same seruice to Sr John "ffitzherbert, Cofl. under the Kinge, and after that time secured in his house actuall enemies, vizt., Maior ffleetwood, of Penwortham, in Lancashire, wth Three more whose names this informante knowes not, and secured their Armes, swords, and pistolls, when they were pursued by the Parliam^t forces, and after by this Informante sent them to Marston in the night. And likewise when Lichfeild was beseiged by the Lord Brooke, he receiued seuerall musketts and one fowling peice from his brother, Capt: William ffleetwood (that kept a Garrison for the Kinge in Wootton Lodge), w^{ch} were taken from the moorlands men then in the Parliam^{ts} seruice, the moorelanders beinge then prisoners to the said William at the same time, and this he did to fortifie his owne house against the Parliam^{ts} partie. And when Sr Edward ffitton, of Gawesworth, Cheshire, then a Cofl. for the Kinge, came to Ashborne in 1642, Sr Thomas ffleetwoōd, wth Sr John ffitzherbert & Capt Barnesley and Sr Andrew Kinaston were wth him there (and as his man Thomas Eyre told him, this Informante), and listed for the Kinge under Sr Edward ffitton, and receued colours from him, w^{ch} this Informante sawe him weare in his hatt at his returne out of the house. And the said Sr Thomas did, a little before prince Rupert raised the seige at Newarke, receiue part of a horse load of goods from Sr John ffitzherbert, Cofl., and Cofl. Eyre, w^{ch} hee verie well knewe they had plundered from Carriers, and sent the goods to his owne howse from Ashborne.

"*Item*, that as Sr William Brereton wth his forces & carriages was marchinge into Cheshire, some of his Souldiers comeinge to the said ffleetwood's house from thence, hee beinge then at Wootton Lodge, a garrison for the Kinge, and returninge home a while after, caused this Informante wth Richard Parker & Thomas Eyre to arme themselues and to pursue them, and hee himself armed wth a gun Rode wth them in pursute, and was angrie wth his servants that they did not resiste them in his absence, and

"further saith that about the same time hee made upp his windows wth stone, and plated his doores wth Iron, and made loopeholes in the Doores and Windowes, as hee verilie believes to oppose the Parliam^t fforces."

Information of witnesses concerninge the delinquency of John Offley, Esq., High Sheriff of Stafford, follows here (folio 1,152), and is followed,

fo. 1,154. by the examination of Elizabethe Brook-hurste, of Ellaston, aged 50 yeares, or thereabouts, taken upon oath at Ramsor, the xith of May, 1650.

She deposed that "at the time Sr William Brereton marched towards Namptwich wth his forces, it was verilie believed that the said Sr William Brereton did intend to fall uppon Wotton Lodge, then a garrison against the Parliam^t, and diuerse souldiers, enemies to the Parliam^t, went to the old hall, the house of Thomas fleetwood, esquire, now Sr Thomas fleetwood. And the said Deponent verilie believes that M^r Thomas fleetwood did ioyn^e wth the afores^d soldiers in pursute of the Parliam^t partie, whoe marched up to Weever, a mile & a halfe from the house of the said M^r Thomas fleetwood, to find out & meet wth some of the Parliam^{ts} soldiers. And after this, the same Daie, Reynold Eyre, servant to S^r Jo. ffitzherbert, and oth^{rs} rid upp through Elstaston to Weever, and askt as hee went whether anie there loued M^r Thomas fleetwood; further, this Deponent saith That wth in the space of twoe houres M^r Thomas fleetwood came back from Weever riding, with a case of pistolls."

ff. 1,161-1,163. Eleven interrogatories administered to the witnesses.

ff. 1,165-1,175. Depositions of witnesses taken at Stafford.

fo. 1,116. Petition of Sir Thomas Fletewoode.

fo. 1,117. Order on a petition of Osborne to the Sheriffs of Staffordshire and Sir Thomas Fleetwood, to appear before the Commissioners for having "by violence driven away divers of y^e Cattle of Nicholas Dooley (tenant of Osborne), & threatened to throw his hay, etc., out of doors, and to

do the like to all the tenants in Stafford and Lancashire," and other matters (13 January, 1651[-2]).

fo. 1,120. Petition of Sir Thomas Fleetwood, of Colwich, Staffordshire, which mentions that his estate had been sequestered for his recusancy, that he had become tenant of a part of it for that year (1651), giving for it more "than any man els would;" he prayed for a confirmation of the arrangement (29 May, 1651). "To view, suruey, &c."

fo. 1,122. Petition of Sir Thomas Fleetwood, which mentions that his lands in Lancashire were under sequestration, and then in possession of a creditor (Osborne), who was suffering the buildings to go to decay, and impoverishing the land, "to the prejudice of the Commonwealth and petr." He prayed that he himself might be admitted tenant, he giving security (22 Dec., 1652). "Res[olved] that wee will heare Mr Brereton's report in ye case of ye petr & Osborne on Thursday seavenight" (22 December, 1652).

fo. 1,099. Petition of Sir Thomas Fleetwood, which mentions the loan¹ by William Osborne, of London, salter, to his father, Sir Richard Fleetwood, and goes on to say that his father secured to Osborne an annuity of £125 for twenty-one years; that Osborne for some years received the annuity, amounting to £552, and then on a pretence of a breach of covenant took out an elegit upon the recognizance of £1,500 entered into by Sir Richard Fleetwood, and extended certain lands in Staffordshire, the moiety of which was delivered to him at a value of £82, but was then really worth £153. 7s. 6d. a year, "ultra reprises and all taxes;" subsequently the said Osborne extended lands in Lancashire, the moiety valued at £58. 16s. 2d. to him, but worth (and then let for) £305 per annum, and thus had received on account of the £1,000 advanced £2,214, namely, £552 on his annuity, and £1,662 on the bare extended value, but had received on the true value £5,579, besides rents not then accounted for, which Osborne had received out of petitioner's estate since the cause had been

¹ See the papers of Sir Richard Fleetwood.

pending before the Committee (two years and eight months), during which time Osborne, having been ordered to account, had filed his statement before Mr. Auditor Sherwyn (in part), wherein he demanded for the £1,000 lent the sum of £6,099. 10s., but which petitioner was advised he could not sustain, as by law he was not entitled to more than the penalty of the recognizance (£1,500), an opinion shared by a majority of the Commissioners, as appeared by their resolutions, and the suit overruled. Petitioner, therefore, prayed that the Commissioners would compel the said Osborne to refund such sums as would appear to be fair, also to consider Osborne's accounts so that some issue might be put to petitioner's suit (27 July, 1653).

“ORD: That when the auditor's report is brought in we shall heare it y^e next Thursday after, instead of a Re-report.”

fo. 1,064. Petition, which shewed that his estate had been sequestered for his recusancy only; he petitioned to be allowed to contract for it, in accordance with the provisions in the Act (30 December, 1653). Referred to Mr. Reading.

fo. 1,067. Certificates of the rentals of the estate in each county (12 January, 1653[-4]).

fo. 1,069. Order dated 26 April, 1654, to the Lancashire Commissioners, requiring them forthwith to send up a true particular of the lands and estate of Sir Thomas Fleetwood, within their county. The object was to have the particulars inserted in the general survey of recusants' estates.

fo. 1,071. Report by Mr. Brereton, based on an order of 20 October, 1652, on the petition of Sir Thomas Fleetwood, baronet, desiring the discharge of certain manors and lands in the counties of Stafford and Lancaster, settled upon him for life, with divers remainders over, by his father Sir Richard Fleetwood, who had charged the premises with divers debts, and by compliance with his creditors kept petitioner out of possession, whereby the said

manors and lands were sequestered for the delinquency of his said father. He found that Sir Richard Fleetwood, of Goldwicke, in the county of Stafford, baronet, and Baron of Newton, in the county of Lancaster, by indenture dated the last of February, 1625 [-6], in consideration of a marriage agreed betwixt Thomas Fleetwood, Esq. (petitioner), son and heir apparent of the said Sir Richard, and Gertrude, daughter of Thomas Eyre, Esq., and £3,000 portion paid and secured, and for natural love and affection, granted, enfeoffed, and confirmed unto the said Thomas Eyre, Rowland Eyre, son and heir apparent of the said Thomas, and others, the manors of Caldwell, Wotton under Weaver, and others in the county of Stafford, and the manor or barony of Newton, and the manor of Cuerdon, in the county of Lancaster, and all his messuages, lands, tenements, and hereditaments in Newton and Cuerdon, in the county of Lancaster, and all his messuages, lands, tenements, and hereditaments in Newton and Cuerdon aforesaid, and in Lawton, Leigh, Pennington, Makerfield, Eccles *alias* Egresfield, Golborn, Kenyon, Croft, Southworth, Middleton, Arberrie, Houghton, Fearnhead, Poulton, Wolston, Holme, Wynwick, Ashton, Pemberton, Orrell, Billing, Winstanley, Ince, Hindley, and Abraham within the fee of Makerfield, and Prestwood, or elsewhere in the said county of Lancaster, to have and to hold to the said Thomas Eyre, Rowland Eyre, and others, their heirs and assigns for ever, to the use of the said Thomas Fleetwood, the petitioner, for life, and after to the use of his sons according to their seniorities, and the heirs male of their bodies according to their seniorities, with divers remainders over, with power to petitioner to make a jointure or jointures for any woman, women, which he shall happen to marry not exceeding £300 per annum, and to lease for twenty-one years in possession things usually demised, reserving the accustomed rent. And it was agreed betwixt the said parties of, for, and concerning so much of the premises as shall not be duly exercised by livery and seizin, attornment of the tenants, or otherwise before Michaelmas then next,

that then and thenceforth the said Sir Richard Fleetwood, his heirs and assigns, shall and will for the considerations aforesaid stand thereof seized to the uses above mentioned; and the said Sir Richard constituted Randle Brock and John Jenkinson his attorneys, jointly or severally, to enter and to deliver possession and seizin. This indenture was produced, and the sealing, &c., proved. He found that the said indenture was enrolled in Chancery by the special order of Sir Charles Cæsar, then Master of the Rolls, 24 March, 1641[-2], for the safe custody thereof only, upon the affidavit of Randall Brook, one of the witnesses who deposed the sealing and delivery of the said indenture, and the execution thereof by livery and seizin, made by Sir Richard Fleetwood, and attornment of the tenants; and for further proof thereof, and of other matters alleged by the said Sir Thomas Fleetwood in his petition, divers witnesses were examined, namely, Thomas Thurstan, who drew the deed, Thomas Blackborne, Thomas Rothwell, Rowland Eyre, Thomas Bailey, Francis Wood, Richard Parker, John Gilbert. These examinations were taken by the Commissioners for the County of Stafford. Mr. Auditor Sherwyn in his certificate referring to the duplicate from the then late Committee for the County of Lancaster says that Sir Richard Fleetwood's estate is mentioned as having stood seized for delinquency in September, 1643, and in the accounts exhibited by the Commissioners for the said county, November 12th, 1651, the demesne of Newton and Newton Park are mentioned to be under sequestration for the delinquency and recusancy of Sir Richard Fleetwood, and in their accounts exhibited 13 June, 1652, two thirds of his tenement rents in Leyland hundred, and of his lands in Newton Park, are mentioned as being sequestered for the recusancy of Sir Thomas Fleetwood. Amongst other proceedings in the case betwixt Osborne (who, holding an extent for £1,500, had ejected Sir Thomas Fleetwood from his residence, the Mansion House of Newton) and the Commonwealth, it was deposed that, by several inquisitions taken in the counties

of Lancaster and Stafford in 1635, it was found that Sir Richard Fleetwood, at the time of a judgment obtained against him in Easter Term, 1626, and at the time of the said inquisitions, was seized in his demesnes as of fee, and the same were seized into the King's hands for satisfaction of the said judgment, and afterwards, in 1636, were granted under the Exchequer Seal by the late King unto Mr. Gosnald, Lord Cottingtone's secretary, for so long time as the same should remain in the said King's hands; and by other copies likewise deposed it appeared that upon several extents in 1637 and 1640, at the suit of the said Osborne, upon a recognizance of £1,500 acknowledged unto him by the said Sir Richard Fleetwood, 24 February, 1624[-5], it was found that the said Sir Richard, at the time of the said recognizance and inquisitions respectively, was seized of his demesne as of fee of the premises, and one moiety thereof were [*sic*] thereby extended for satisfaction of the said recognizance, according to the extended yearly value or not, he having (as he pretended) been kept out of possession and interrupted by Sir Richard Fleetwood and others claiming under him, and unto whom the premises belong after the said recognizance has been satisfied.

So he submitted to judgment whether the said indenture ought not to be allowed, the petitioner deposing that he believed the said indenture was made really and *bonâ fide*, and that he had not, either together with his father or alone, done any act to alter the estate settled upon him by the said indenture, and that he knew no reason in law or equity why the same should not be allowed (30 March, 1653).

fo. 1,077. Affidavit of Sir Thomas Fleteweode.

fo. 1,079. Certificate as to what proceedings had been taken in the case.

fo. 1,081. Order of reference to the Commissioners of the County of Lancaster.

fo. 1,083. Petition (copy).

fo. 1,085. Extract from the books of informations certifying that no charge of delinquency or recusancy was recorded against Sir Thomas Fleetwood.

fo. 1,087. Certificate from R. Sherwyn, auditor (2 April, 1653), exhibiting date of sequestration, mentioning also Sir Richard Fleetwood.

fo. 1,091. Petition (14 September, 1653).

fo. 1,093. Petition (2 September, 1653).

(First Series, Vol. lxxvi., No. 2,340, fol. 143.)

fo. 143. Petition from Peter Gifford and Thomas Smyth, which shewed that Sir Richard Fleetwood, by indenture dated 20 May, 20 James I. [1623], granted to Waller Brooke and others a rent charge issuing out of lands of Sir Richard in the parish of Winwick, co. Lancaster, with a proviso that if £400 and arrears were paid at a day named the deed to be void ; but Sir Richard died, and the lands descended to his son, Sir Thomas, and the lands were sequestered for the recusancy of Sir Thomas ; they prayed for an allowance of the deed, so that they might take proceedings against Sir Thomas (July 18th, 1654). "Mr. Brereton to state & Report the claim, & the Com^{rs} below to certify."

John Fleming, Esq.

(First Series, Vol. lxxx., No. 2,503, fols. 71, &c.)

fo. 71. Petition from the parishioners of Ulverstone shewing that King James, by his letters patent dated the 17th February, in the sixth year of his reign [1609], granted to John Fleming, Esq., and John Ambrose, gentleman, and their heirs, all the rectory of the parish church aforesaid, and all great and small tithes (of a very great value) thereunto belonging, under the yearly fee farm rent of £42, and the said grantees did thereupon covenant to find and maintain at their proper charge an able, honest, and fit chaplain and minister at the church aforesaid, in such manner as the farmers of the said rectory theretofore had or ought to have maintained the same. That Fleming (to whom

Ambrose, the other grantee, had released) did, for above twenty years after the said grant, pay to a minister at Ulverstone aforesaid, such as your said petitioners did provide, £10 a year towards his maintenance. But the said Fleming being a papist delinquent, and the said rectory therefore in sequestration, the agent for two years then last had refused to pay to petitioners for the use aforesaid the said £10 a year, so that petitioners were in danger of losing the same, unless the Commissioners above extended to petitioners their timely care and protection. Prayed, therefore, for an order to the agent to make the payment of the usual £10 a year (17 August, 1653). Referred to Mr. Reading.

fo. 73. Mr. Reading in his report found that King James the First, by his letters patent under the great seal of England and seal of the Duchy of Lancaster, dated 17 February, 1608[-9], granted to John Fleming, Esq., and John Ambrose, gentleman, all that rectory of Ulverston, with the rights, members, &c., to have and to hold to them, their heirs and assigns for ever, under the yearly fee farm rent of £42, and they covenanted with the said King, his heirs and successors, that they, their heirs and assigns for ever, after the determination of a lease for years then in being to Thomas Preston, Esq., should find, keep, and maintain at their own proper costs and expenses one sufficient, honest, and fit chaplain and minister to officiate within the parish church of Ulverston aforesaid, as the farmers of the said rectory beforetimes had done, as by a copy of the said letters patent then proved by Charles Phillips appeared.

The Lancashire Commissioners certified that they (21 September, 1654) had received a petition from the inhabitants of Ulverston touching a stipend of £10 due of the said rectory to the minister there, wherein they expressed that they had addressed themselves to the Commissioners above for relief, and that they (the Commissioners) had desired a certificate on oath that there was a minister there, to which end they had produced a witness before them

whose examination had been taken and returned, and they further certified that by an order from above dated 11 May, 1654, made in the case of Francis Bindlesse, Esq., the rectory aforesaid was discharged.

Mr. Addison, parish clerk of Ulverston aforesaid, sworn before them 25 August, 1654, deposed that he very well knew the church and parish of Ulverston, and had been parish clerk there for ten or eleven years then last past, and knew that during the years aforesaid, and until the tithe became sequestered for the recusancy and delinquency of Sir John Crosland, there was constantly paid by the occupiers of the said tithes to the minister of Ulverston yearly the sum of £8, besides the benefit of the churchyard and the "supplis fees," which were always esteemed and valued to be worth 40s. by the year, which in all equalled £10; and that he remembered that the said £8 had for thirty or forty years then last past been paid to the several ministers at Ulverston successively, and the surplice fees and the churchyard worth 40s. yearly, and there existed no cause except the sequestration to hinder the payment of the same.

Upon a former petition exhibited 21 August, 1652, by Francis Bindloss, Esq., desiring the discharge of the sequestration of certain lands and tithes in the counties of Northumberland and Cumberland, which had been allowed to petitioner by the Commissioners for Removing Obstructions, part whereof had been sequestered as the estate of Edward Norres, Esq., and the rest for the . . . of John Fleming and William Fleming, the son, Mr. Brereton reported the case at large, wherein it appeared that John Fleming, Esq., by deed poll dated 14th of April, 1641, charged the rectory of Great Urswick and Ulverston with the payment of large sums of money to the said Francis Bindlose, and that the name of the said John Fleming and William his son were put into the Bill for sale, and that by order of the said Commissioners. The claim of Francis Bindlose to the said rectories was allowed; on perusal of which report the Commissioners above

allowed the claim of Bindlose, and discharged the sequestration, with arrears from 31 August, 1652.

It appeared not to Mr. Reading whether the lease to John Preston, mentioned in the letters patent, whereby the said rectory was granted to Fleming and Ambrose, and after the expiration of which lease the payment of the said allowance to the minister was to begin, was expired; nor did it appear whether John Fleming, the grantee, was ever in possession of the said rectory, nor for whose delinquency or recusancy the same was sequestered, nor whether the Commonwealth ever received any profits thereof by any such sequestration.

And that was all he found, which he humbly submitted to judgment (23 November, 1654).

ff. 77-86. Other documents connected with the petition.

(First Series, Vol. lxxxv., No. 2,985, fol. 270.)

fo. 270. Petition from John Kirby, of Kirby-in-Furness, shewing that then formerly petitioner had been indebted to one John Fleming, Esq., in the sum of £100, for security whereof petitioner, with two others, entered into seven bonds of £40 each, for payment at the rate of £20 a year. Petitioner had paid Mr. Fleming £40, being two years' instalments. Subsequently, Mr. Fleming was sequestered as a papist and delinquent, whereby petitioner was compelled to pay £40 more to the sequestrators for Mr. Fleming's delinquency, as by vouchers appeared. Nevertheless, petitioner was arrested and imprisoned upon an account of debt of £200 by one Mr. Collingwood and Mr. Crosslaine, son-in-law of the said Mr. Fleming, by pretence of the said debt; petitioner was so poor that he was incarcerated for want of sureties. He therefore prayed for an indemnity for the debt, he having paid the same to the Commonwealth.

1 June, 1655. "Ordered y^t y^e Com^{rs} in Lancashire somon Jourden Crossland and George Collingwood, Executors of John Fleming, Esq., to deliuer up unto the

hands of petr 2 Bonds of £40 a peece for paymt of £20 a peece to ye s^d Jo. fleming, for y^t the said money was formerly Seq^d in the hands [?] of petr, for ye delinquency of the s^d fleminge, hath bene paid in to ye cōmonwealth."

[The bottom of this document is frayed and worn; the signature seems to be Dawlish.]

(First Series, Vol. xxv., No. —, fol. 723.)

fo. 723. Petition from Daniell fleming, of Conyston, Esq., relating to the manor of Rydall and lands in Westmoreland.

AGNES AND BRIDGETT, DAUGHTERS OF JOHN FLEMING,
OF RYDALL, ESQ.

(First Series, Vol. xxv., No. —, fols. 741, &c.)

"Gent.,

"Whereas by yo^r Order of the 4th of Jan: instant, made upon the petiçōn of Agnes and Bridgett, daughters of John fleminge, of Rydall, Esq^r, and of W^m fleminge, of Skirwith, Esq., and nephew of the said John, wee are required to make diligent search into the bookes and papers of the late Comittee and our owne, and to send yo^r Honor^s true coppies of all proceedings wee find touchinge the said John fleminge. In obedience whereof wee humbly certify that wee have searched all the bookes and papers of the late Comittee and our owne, and doe not find that ever the said John fleminge was seq^d in this County, but wee find in the accompts of the late Agents for Seq^{ns} in Lonsdale hundred that in the year 1643 the Estate of William fleminge, sonne of John fleminge, late of Rydall, in the County of Westm^rland, lying in ffurnis, in this County, was seq^d for the Popery and Delinquency of the said W^m fleminge, and soe continued accounted till the year 1651, since which time it hath not bin accounted for, nor the profits Leuyed, they p^rtendinge a discharge by some Orders from yo^r Honor^s, but as yet wee have seene noe absolute Discharge, onely Coppies of the Orders inclosed

came to our hands in the yeare 1650, whereof wee gave the heires at Law notice, which may appeare by the Letter inclosed from the Lady Bridgett Crosland, dated the first of March, 1650, shee now being one of the Pet^{rs}. And this is all that wee know or can find touchinge the said John ffleminge or the estate in the petiçôn mençõned, which wee humbly submit to yo^r Hono^{rs} Judgm^{ts},

"And rest,

"Yo^r hono^{rs} most humble Serv^{ts},

(Signed) "ED: ASPINWALL.

ROBT CUNLIFFE.

"Preston, the 13th of Jan:

JOHN SOWERY."

1652[-3]."

"A True Copy, 4^o May, 1653,

"JO: LEECH."

ff. 751-6. Examinations taken at Preston, 9 February, 1652.

Robert ffoole.

(First Series, Vol. xxv., No. 736, fol. 375.)

fo. 375. Petition from Jennett ffoole, widow, which shewed that Thomas Walmsley, then late of Duncking-halgh, Esq., being seized in fee of a messuage and tenement lying in Billington, in the said county, by his indenture dated 16 May, in the 8th of Charles I. [1632], demised the premises to Robert ffoole, petitioner's husband, for divers years, determinable upon the death of the said Robert, with a special covenant inserted that if petitioner should survive him, that then she might enjoy one moiety of the premises during her life; and petitioner further shewed that after making the said lease the premises became sequestered for the recusancy of the said Robert ffoole, who was then dead, and thereupon petitioner, being a recusant only, ought to have had one third part of the moiety of the said messuage, yet, though petitioner's husband had died three years then before, the Commissioners for Sequestrations of

Lancashire disposed of the whole tenement, allowing petitioner one fifth only of the profits; she prayed, as she was very poor, an allowance of one third of the moiety (14 July, 1652). "The Com^{rs} to ex: & certify, &c."

Sir John Fortescue, of Salden, co. Bucks, Knight.

(First Series, Vol. xxvii., No. 800, fols. 1, &c.)

fo. 1. "Thomas Bromelow, of Southworth, neare Winwick, in Lancashire, deposeth that whereas the Com^{rs} for Seq^çõns in Lancashire, upon y^e Execution of an Order from ye hon^{ble} y^e Com^{rs} for Compounding, do therein expresse y^e Execution of the Same to be done by Agreement of both parties, *vizt.*, Sir John fortescue and M^r Charles Herle, that this deponent verily belieueth y^e said M^r Herle knew nothing of the meeting when the said order was made, nor Agreed to nothing therein mentioned, sauing the Allotment for y^e £225 to y^e said M^r Herle, which was by y^e said Herle agreed unto wth M^r Aspinwall att a Conference betweene them, but that M^r Herle's choice for his £225 paid is Altered & not allotted according unto his choice, & that there are many other grounds in the Deuision sett out for y^e abovesaid M^r Herle's two third ptes ouer rated as will appeare by lease, and the abovesaid Com^{rs} for Seq^çõns have by their order deuided y^e remainder into thirds, allowing S^r John ffortescue one third of y^e whole, notwithstanding the prouision made for y^e Chappells having exempted the said Chappells from paying anything towards S^r John's third pt & charged M^r Herles two third pts wth it, though he Receiues no manner of Benefitt from the s^d Chappells, & that M^r Herle offered y^e 3rd pts allowed him & £40 to boot for y^e 1st 3rd allowed to Sir John and 'twas refused. (Sworn before y^e Com^{rs} y^e 19 October, 1653.)"

fo. 141. Petition from Sir John Fortescue, which shewed that the manor and rectory of Winwick, co. Lancashire, had "been most injuriously detained" from petitioner for diuers

years by Mr. Herle, whereupon in September, 1650, he petitioned and obtained an order to refer the matter to Mr. Brereton to state and report petitioner's case. That petitioner having set forth his title had attended the said cause ever since (11 May, 1652), but failed to obtain a report thereon by "reason of an impertinent deed is not brought in which the said Herle made to one Brookes."

"Now in regard the petit^{rs} title cannot be invalidated though 100 Deeds were produced from an intruder, and for that he humbly conceives it very preposterous that he should be enjoined to produce any deed made by his Adversary, who in the meantime denounces the petr^s right, to the great preiudice both of him and of the Commonwealth;" he prayed that the report might be quickly brought in, and the case heard and determined by reason of the Commonwealth's interest therein (11 May, 1652). "*Ord.* That Mr Brereton do bring in his Report in the case, & that it be heard on Thursday next come 6 weeks, & y^t Mr Herle & Peeter Brooke, Esq., a member of Parl., have tymly notice thereof."

fo. 144. "Sr John ffortescue desires his counsell may be heard upon the order made by yo^r hono^{rs} upon the reading his report concerning the Rectory of Winwicke. (Rec^d 6 Sep^r, 1652.)

"HI: MARTIN."

17 November, 1652. Edw. Herle, son of Mr. Herle, appeared.

Ordered: "The Com^{rs} of Lanc^r to apportion each pticuler in its kind according to former order.

"And y^e Arreares from y^e date of o^r order to Sr John ffortescue; And Mr. Herle to shew cause why he should not pay y^e Arreares from y^e time of y^e peti^{cion}."

fo. 145. Deposition of Thomas Teyler, of Winwick, in the county of Lancaster, yeoman, who said that in the month of August then last he repaired to the dwelling-house of Charles Hearle, clerk, near Winwick aforesaid, and served him, the said Hearle, with an order, signed by the Commissioners for Compounding, for the allowing of

£225 per annum out of the rectory of Winwicke to the said Hearle, and of one third of the remainder of the said rectory to Sir John ffortescue, knight. The said Hearle answered deponent, "What need you shew me this order? I know it very well; I drew it myself;" and then said that the order was drawn at first for him to receive the money of Sir John ffortescue, but he never intended to seek after his money of him, for he did not know how to be gotten paid of him. And deponent demanded of him whether he would have his money either in tithe or in ground; to which the said Hearle answered, that court had not power to end this business, but that he would call it into the Parliament House to be there determined. (Sworn before the Commissioners, the 12th of November, 1652.)

fo. 148. Deposition of Thomas Teyler, of Winwick, yeoman, who said that he had lived all his lifetime in the said parish, and very well knew the chapels of ease there, called Ashton Chapel, Newton Chapple, and that the chaplains there had been allowed for their pains by the respective inhabitants out of their own purses, and no tithe had been paid to either of the said chaplains out of the rectory of Winwick from the time this deponent was of memory until about five or six years then ago; and he also said that one Mr. Blackburne, at deponent's desire, gave £20 a year to be paid for dues to Newton Chappel, which he knew had been constantly paid besides what the inhabitants there had allowed him; and he also said that he had been credibly informed, and believed it to be true, that the several gifts to Ashton Chappel is about £20 a year, and besides the allowance that the inhabitants of the said town contributed. Deponent also said that the tithes of Ashton were then formerly let by Sir John ffortescue for £80 a year, and were then let by the chaplain there for £120; and that the tithes of Newton and Haddocke had been formerly let by Sir John ffortescue for £75 a year, and they were then allowed to the chaplain of Newton Chapel. (Sworn same day.)

fo. 152. Petition from Sir John Fortescue, the younger, knight, which shewed that some time before the date, during his absence, on some pretended information, a charge of delinquency was preferred against him by the Commissioners of the County of Bucks; he prayed for an enquiry (26 June, 1651).

fo. 154. Petition from Sir John Fortescue, of Salden, co. Bucks, which shewed that in the year 1563, one Thomas Stanley, clerk, made a lease unto Sir Thomas Stanley, knight, of the rectory and manor of Winwick, in the county of Lancaster, for a term of ninety-nine years, paying yearly during the said lease to the parson thereof and his successors £120 a year, which lease was quietly enjoyed by the lessees for eighty years and upwards, until one Charles Herle, clerk, the then incumbent, was presented to the church, and injuriously possessed himself of the said parsonage house and rectory, but was removed by the honourable court of the Duchy upon a bill preferred and the possession by an injunction established in the said lessees; that petitioner, to whom the parsonage did of right belong by intermarrying with the heir of the said Sir Thomas Stanley, was sequestered for recusancy in 1643, and the Committee of the said county received three years' profits thereof; but the said Herle, taking advantage of petitioner's sequestration, and upon a false suggestion that the said manor and rectory belonged to him, obtained an order from the Committee of Plundered Ministers for the disposal of the same to himself and others, who had enjoyed the same accordingly, to the great prejudice and damage both of the State and petitioner, who, notwithstanding his addresses to the said Committee, could obtain no relief therein. He prayed that the Commissioners above would take the premises into their consideration, and establish the enjoyment thereof to those to whom it justly and properly belonged. (No date.)

"To be read publicly."

fo. 155. Order by Commissioners for Compounding, on a motion made by Mr. Martin on behalf of Sir John

Fortescue, the younger, and upon other evidence, declaring that there appeared not unto them any just cause of sequestration against the said Sir John, the younger; ordered, therefore, that the charge be dismissed, unless the Commissioners for Bucks certified good causes to the contrary within — weeks after receiving the above.

fo. 158. Order referring the case of Sir John Fortescue, the younger, to the Commissioners for Bucks.

fo. 159. (19 September, 1651.) Communication from the Commissioners of that county on the case, enclosing depositions and other matters.

[Endorsed on folio 162, "the order Drawne, but respited."]

fo. 163. Petition from Sir John Fortescue, which shewed that in September, 1650, he did, by petition, set forth that the manor and rectory of Winwick was injuriously withheld from him by one Charles Herle, which petition the Commissioners had referred to Mr. Brereton, upon return of certificate from the Commissioners in the county. No decision having been obtained in the cause, he now prayed that it might speedily be determined (30 July, 1651). "Maior Brook to produce the Deed to Mr Brereton within a month after notice hereof."

ff. 165-175. Report by Mr. Brereton, dated 24 June, 1662. According to an order of the 6th September, 1650, he examined the petition touching the rectory of Winwick, claimed by Sir John Fortescue, and then enjoyed by Charles Hearle, parson of Winwick, by virtue of an order from the Committee of Plundered Ministers, and he found that Thomas, Bishop of Man, by the name of Thomas, Bishop of Man, and parson of Winwick, co. Lancaster, by indenture dated the 20th of October, 5^o Elizabeth [1563], granted the rectory, parish church, and benefice of Winwick aforesaid, the manor and park of Winwick aforesaid, and all glebe lands, tithes, and tenements to the said rectory belonging, unto Sir Thomas Standley, knight, for ninety-nine years, to commence from the Annunciation, 1564, rendering £120 rent; and by the said indenture Edward, Earl of Darby, patron, and William, Bishop of Chester,

ordinary of the said church, confirmed the lease, as by the indenture (produced) appeared.

By virtue of which lease and confirmation the said Sir Thomas Standley, and such as claimed under him, enjoyed the said rectory until King James's time, and then Josiah Horne, being parson of Winwick, cross bills were exhibited in the Duchy Court between him on the one part, and the Earl of Worcester, John Fortescue (petitioner), Francis his wife, and Petronella Standley on the other part, touching the said lease. In which suit, witnesses having been examined and the cause heard, the court referred petitioner to a trial at law, and such decree to be thereupon made by the court as to justice should appertain.

Accordingly a trial was had at Lancaster, and a special verdict (containing five hundred or six hundred sheets) was found touching the validity of the said original lease, viz., whether the said Thomas, Bishop of Man, were at the time of the making thereof parson of Winwick. And after many arguments by common and civil lawyers, and long consideration had by the judges, at last judgment was given at Lancaster, at Lent Assizes, 1618, by Judge Winche and Baron Denham for the said Josiah Horne against the lease.

The 2nd of June, 1619, the counsel of Josiah Horne, moving the Duchy Court to have the possession established according to a former order in Hilary Term, 1616, the verdict and judgment being found and given for him, and the counsel on the other side instancing in several particulars wherein the verdict was untruly found, unto which it was answered the judgment would have been given as it was notwithstanding those particulars had otherwise found; yet, in regard the said judges affirming they gave their judgment upon the whole verdict, the court thought not fit to establish the possession, but left the said Josiah Horne at liberty to take what course his counsel should advise for recovery thereof.

The 8th of June, 1619, upon hearing of counsel on both sides, it was ordered that a new trial should be at the

assizes then next, and according as the verdict and judgment should pass, possession to be established until the same be recovered by course of law. And if the cause should not be then tried through any default on that side where Sir John Fortescue is, then the possession to be established with Josiah Horne.

But there was not any new trial, the parties of their own accord, and with the consent of the court, submitting themselves to the arbitrament of Justice Winche and Baron Denham, assistants of the court, who, the 10th of February, 1619[-20], under their hands and seals, did award the capital messuage and manor of Winwick, with certain other parts of the rectory, unto Josiah Horne, and the residue thereof to the Earl of Worcester, Sir John Fortescue, Francis his wife, and Petronella Standly, in such manner as by the said arbitrament appeared. And the said arbitrators did by their arbitrament declare their intent to be only to settle peace between the parties, without prejudice of either of their rights, therefore their awards to have continuance only during the life of Josiah Horne if he were so long parson of Winwick, which arbitrament, at the request of the arbitrators, and with the consent of the parties, was decreed in the Duchy the 11th February, 1619[-20], and injunctions for possession awarded accordingly. Copies of which proceedings in the Duchy were deposed by Hughe Phillips.

This award and decree was observed during the life of the said Josiah Horne. He dying, and Francis, his wife, continuing possession of the parsonage house, the Duchy awarded an injunction to restore possession of the rectory to the Earl of Worcester, Sir John Fortescue, Francis his wife, and Petronella Standley, or one of them, from whom the same was taken by the said decree, upon the said arbitrament, and Charles Hearle, clerk, being presented to the said church of Winwick by Sir Edward Standly, the patron, and afterwards, the 27th June, 1626, instituted and inducted by John, Bishop of Chester, and, having gained the possession of the capital messuage, the Duchy Court,

the 28th of June, 1626, granted like injunction against the said Charles Hearle, directed unto the Sheriff of the said county, who executed the same accordingly. A copy of which injunction was deposed by Hugh Phillips.

Shortly after, Charles Hearle dissolved that injunction, and obtained another directed to the said Sheriff to put him, the said Charles Hearle, into possession; but nothing was done upon it, as is acknowledged by the said Sir John Fortescue and Charles Hearle. Then they fall to agreement by articles dated the 23rd of October, 1627, made betwixt the said Sir John Fortescue, Francis his wife, and Petronella Standley, of the one part, and the said Charles Hearle of the other part.

In pursuance whereof, by indenture tripartite dated the 4th of June, 1628, betwixt Henry, Earl of Worcester, executor to Edward, Earl of Worcester, Sir John Fortescue, Francis his wife, and Petronella Standley of the first part, Henry Ogles and John Marshall of the second, and the said Charles Hearle of the third, the said Earl, Sir John Fortescue, Francis his wife, and Petronella Standley, in consideration of a certain sum of money, and in performance of the said articles, did grant, bargain, and sell all the tithes whatsoever, oblations, obventions, Easter robes,¹ and tithe barns, being or arising in Newton in Mackerfield, Kenyon, Haddock, Southworth, and Winwick, in the parish of Winwick belonging to the said Henry Ogles and John Marshall of [*sic*] thirty-four years, if the said Charles Hearle so long continued rector of Winwick, rendering a peppercorn rent, upon condition, and it was covenanted by all the said parties, that if the said Charles Hearle, or any in his name or claiming under him, should begin, prosecute, any suit or demand against the said Earl of Worcester, Sir John Fortescue, Francis his wife, and Petronella Standley, or any claiming under them, or any of them, touching the said rectory of Winwick, or any part thereof, for the eviction of his, her, or their estate,

¹ Roblet = a large chicken.

interest, or possession, and if the said Charles Herle shall not within forty days after notice given him, or left in writing at the house of the said John Marshall, nonsuit, surcease, and release the said suit, and do and procure to be done every other such reasonable thing for determining of such suit, quarrel, and demand, as shall by them or the survivor of them required, then the said bargain and sale to be void ; with divers covenants by the Earl of Worcester, Sir John Fortescue, Francis his wife, Petronella Standley, with the said Charles Hearle, for quiet enjoying, &c.

One part of which indenture, under the hands and seals of the said Henry Ogles, John Marshall, and Charles Herle, was produced by Sir John Fortescue and acknowledged by the said Charles.

The 20th of June, 1628, by indenture quadripartite between the said Henry Ogles and John Marshall of the first, Charles Herle of the second, Henry, Earl of Worcester, Sir John Fortescue, Francis his wife, and Petronella Standley of the third part, and Sir Richard Molyneux and Sir William Fortescue of the fourth part, the said Henry Ogles and John Marshall, in consideration of a certain sum, and in performance of the said articles, did assign the said tithes and premises granted unto them unto the said Sir Richard Molyneux and Sir William Fortescue for thirty-three years and eleven months, if the said Charles Hearle so long continue parson of Winwick, rendering unto Henry Ogles and John Marshall £105 per annum at the feast of the Ascension and Martin Bishop in winter, or within twenty days after ; provided, and it was agreed by all the parties, that if the said rent were behind, the assignment should be void. And by the said indenture quadripartite reciting that whereas there was due during the term of thirty-five years or thereabouts then to come unto the said Charles and his successors, rectors of Winwick, £120 per annum, by virtue of the said indenture of demise dated 20 October 5 Elizabeth, the said Sir John Fortescue, Francis his wife, and Petronella Standley, covenanted with the said Charles Herle, that if the said rent should be

behind twenty days after either of the feasts of the Ascension or Martin Bishop in winter, then they should forfeit for every day that the same should be so behind 6s. 8d., and that the said Charles Hearle, during the said term of thirty-five years, if he so long continued rector of Winwick, might enter into all the manor and rectory of Winwick, and distrain for the said rent of £120 and the *nomine penæ*; and also covenanted with the said Charles Hearle to maintain the capital messuage, called the Hall of Winwick, in good repair during the term granted or mentioned to be granted by the said indenture dated the 20th of October, the 5th of Elizabeth, 1563, if the said Charles Herle should so long continue rector of Winwick. And the said Charles Herle covenanted with Sir John Fortescue, Francis his wife, and Petronella Standley, during the said term of years mentioned to be granted by the said indenture dated the 20th of October, to save and keep them and the said Henry, Earl of Worcester, harmless and indemnified from all reparations and dilapidations of the chancel of Winwick church, and from all pensions, portions, annuities, rents, services, charges, synods, proxies, impositions, subsidies, and taxes, spiritual and temporal, to the said rectory belonging, formerly or afterwards due, demandable, or going forth of the same (the said rents of £120 and £105 per annum and the *nomine penæ* of 6s. 8d. excepted); one part of which quadripartite indenture, under the hands and seals of the said Henry Ogles, John Marshall, and Charles Hearle, was produced by the said Sir John Fortescue and acknowledged by the said Charles, who produced another part of the said indenture under the hands and seals of the Earl of Worcester, Sir John Fortescue, Francis his wife, and Petronella Standley.

And the said Charles Herle the 20th June, 1628, became bound unto the said Sir John Fortescue, Francis his wife, and Petronella Standley in £500 for performance of the covenants contained in the said two last mentioned indentures, which bond was likewise produced and acknowledged.

The 4th of July, 1628, by indenture betwixt Henry, Earl of Worcester, executor of Edward, Earl of Worcester, and the said Sir John Fortescue and Francis his wife, reciting the original lease of the said rectory unto Sir Thomas Standley and several "meane" conveyances, whereby the same came unto the said Edward, Earl of Worcester, in trust, the said Henry, Earl of Worcester, in performance of the trust, and at the request of the said Sir John Fortescue and Francis his wife, did grant and assign unto them one full moiety of the said rectory for the residue of the said term, which indenture was produced under the hand and seal of Edward, Earl of Worcester.

[¹ The 8th of March, 1633, the said Petronella Standley by her deed assigned her moiety of the said rectory to the said Sir John Fortescue and Francis his wife, from the decease of the said Petronella, during the residue of the said term of ninety-nine years, which deed was produced under her hand and seal.]

And he found by a copy of an order of the Committee for Plundered Ministers, dated the 9th of August, 1645, that upon the petition of the inhabitants of the chapels of Newton, Ashton, and Newchurch, in the said parish of Winwick, where (as is said in the said order) all the tithes and profits of the said rectory do of right belong to the said Charles Herle, one of the reverend assembly of divines, rector of Winwick; and that the ministers of the said church have been much plundered, and the inhabitants of the said chapels so impoverished, that they cannot maintain their ministers as formerly, it was ordered by the said Committee that Mr. Norman, minister of Newton Chappell, have all the rents, tithes, and other profits to the said rectory belonging within Newton and Haddock (the park of Newton excepted), paying to the minister of Newchurch £20 per annum; and that Mr. Woodes, minister of Ashton Chappell, have all the rents, tithes, and profits to the said rectory belonging within Ashton,

¹ Written in margin, but marked as for insertion here.

paying to the minister of Newchurch £10 per annum ; and that Mr. Lee, minister of Newchurch Church, have all the rents, tithes, and profits to the said rectory belonging in Culsheth.

And it was further ordered that the said Charles Hearle, rector of Winwick, should from thenceforth have and hold all houses, glebe, tithes, lands, rents, and profits within the said parish, which are or were any ways belonging to the rector or rectory of the said church of Winwick, or which any rector of Winwick, or lessees of the said rectory, enjoyed in right of the said rectory, excepting what is ordered as aforesaid unto the said chapels.

The 8th March, 1649[-50], upon the petition of the said Sir John Fortescue, setting forth his title by virtue of the said lease of the rectory of Winwick, made 5th Elizabeth, the said Committee ordered the parties concerned to be heard the 18th of April then next following, whereof the said Charles Herle to have convenient notice.

The 2nd of May, 1650, upon hearing of counsel on both sides in the said cause between Sir John Fortescue and the said Charles Herle, and consideration had of the said order of the 9th of August, the said Committee ordered the cause to be referred to the determination of law, copies of which orders were deposed to by Edward Herle.

Hereupon the said Sir John Fortescue petitioning here (in London), the Commissioners, by their order of the 6th September, 1650, directed the Commissioners for the County of Lancaster to call the parties, and to examine witnesses. And the said Commissioners, in pursuance of that order, having taken and certified several examinations, and these having subsequently been published, he thereby further found that

John Lander, the 21st November, 1650, deposed that about thirty-five years then since, he being servant then to the said Josiah Horne, he, the said Josiah, exhibited a bill in the Duchy against the Earl of Worcester and others, as trustees for Francis, wife of Sir John Fortescue, and

Petronella Standley, her sister, daughters of Sir Edward Standley, and that upon hearing the cause was dismissed to a trial at law, reserving the equity to the court.

That Mr. Horne proceeded accordingly at Lancaster, and a special verdict was found, which was argued by the ablest lawyers then conceived to be in England. But in regard the judges died or were removed, and others succeeded in their rooms, the business continued three years or thereabouts in debate. But at last judgment was given for the said Josiah Horne by Baron Denham and Justice Finch, and the case drawn up at large and agreed by the judges to be printed for a precedent, and he deposed a copy of the said case. And that judgment is entered upon record at Lancaster, and never reversed, although a writ of error was brought by the trustees.

Whereupon the said Josiah Horne entered into the said rectory, and had the possession during his life, which was for the space of six or seven years after; and the tenants of the said rectory attorned to the said Josiah Horne, paying to him sixpence a piece, and subscribing their names to a note, and he deposed the said note.

And he further deposed that the said Josiah Horne dying, his wife continued possession until the said Charles Herle, the then present incumbent, was presented by Sir Edward Standley (as deponent believed), instituted and inducted in 1626, and entered into the said rectory, and left this deponent and Andrew Eravis in possession in his right, and continued in such possession for a month, and then upon some false oath, or other untrue suggestion made in the Duchy by Robert Whittle, servant to Lady Fortescue and her sister, that the said Charles Herle had forcibly entered in the said rectory, or to that purpose (as he had heard), an injunction was granted for possession of the said rectory, and a writ of assessment to the Sheriff for taking possession and outing the said Charles Herle. Whereupon this deponent and the said Andrew Eravis were, by the undersheriff of that county, cast out of possession without any hearing or other legal proceedings to this deponent's

knowledge, and after the said Charles Hearle obtained another order of the Duchy for possession, but the same would never be obeyed.

And further said that when Warrington was garrisoned by the enemy, Thomas Golden and other servants to Sir John Fortescue fortified the said parsonage house at Winwick, and kept the same as a hold until the same was taken by storm by the Parliament forces, and then Colonel Holland and Colonel Holcroft appointed deponent to write to the said Charles to come from London to take possession of the said house; and Thomas Nailer deposed that when Warrington was a garrison for the enemy, Thomas Golden and other servants of Sir John Fortescue fortified and kept the said parsonage house as a hold till the same was taken by storm by the Parliament forces under Colonel Holland. Mr. Herle's servant appointed deponent to take and keep possession thereof for his master, which he did accordingly, but some of the soldiers were left there for a guard of the house, and continued there for above half a year, and then went out, and deponent continued in possession for about three weeks, till Prince Rupert coming into that county this deponent was constrained to fly into the garrison at Warrington for safety; and Prince Rupert having gone out of the county deponent entered again into possession; and his master being in London, Prolocutor to the Assembly, this deponent, Gilbert Eden, William Holcrofte, and George Sorocold, were appointed by order of the then [Committee] for the county to let and dispose of the said rectory and to receive the profits thereof, and accounted for the same to John Pendleburye and Peter Rylands, then Agents for Sequestration in Darby Hundred, and said they were at great charge in repair of the house, and that since the said Charles Herle had expended £16 in repair of the leads.

And Thomas Tailor deposed that the said Sir John Fortescue was about twenty years then since possessed of the said rectory in right of his wife, and received the profits, rendering to the said Charles Herle £225 per annum by an

agreement between them. That Sir John Fortescue enjoyed the whole profits, paying the said rent to the said Charles Herle, wherewith he seemed to be well pleased, for fifteen years together upon deponent's knowledge, until about 1643 the Parliament forces marching against Warrington, then held for the King, some soldiers under Colonel Holland plundered the parsonage house at Winwick, and put the servants in possession.

And the said Sir John Fortescue being a recusant, the said rectory was then sequestrated by order, as he believed, from the Committee of the county, by William Holcroft, Gilbert Eden, and others, who received the profits two years for the public use, the said Charles Herle only receiving the said yearly rent from the sequestrators, as they affirm. And afterwards, about five years then since, Mr. Herle entered and took the profits, but how or by what order he enjoyed them deponent knew not. And he deposed that he had heard Thomas Golden, servant to the said Sir John Fortescue, affirm that the profits of the said rectory received by him to the use of Sir John Fortescue amounted to £720 per annum, out of which he paid the said yearly rent unto the said Charles Herle, and the said Golden, then above eighty years of age, and not able to travel, delivered a note to examinant at his going to Preston, wherein he offered to depose the same; and that the said Golden affirmed the rectory had been in possession of the said Sir John Laurence and his wife and her ancestors, until the same was sequestered, ever since the first year of Queen Elizabeth.

Goucher Kerfoot deposed that he had known the rectory of Winwick then for about twenty-seven or twenty-eight years, and that about twenty years thereof the said Sir John Fortescue, in right of his wife, and Petronella Standley whilst she lived, enjoyed the rectory and received the profits till about seven years then since; and that deponent, being then about forty-eight years old, and having lived in Winwick all his life, never knew the said Charles Herle enjoy any part of the said rectory till about five years then since,

but had heard he received a yearly stipend of £225 out of the same from Sir John Fortescue, and had heard that Sir Edward Standley, father to Sir John Fortescue's wife, and others her ancestors, enjoyed the rectory for a long time before the marriage.

William Holcroft deposed that in 1643, after Warrington was taken by the Parliament forces, he, with Gilbert Eden George Sorocold, and Thomas Naylor, by order from the Committee of the county, sequestered the parsonage house at Winwick and the demesnes thereunto belonging, and that the same, to the best of his remembrance, continued under sequestration two years or thereabouts, during which time the said Charles Herle received out of the same his just due, to the best of his knowledge, which, as deponent believed, was about £225 per annum; and that before the sequestration, Sir John Fortescue or his servant received the profits of the said rectory, and made several leases for years of parts thereof to divers persons, as, namely, to examinant and John Urmeston and others, who then enjoyed the same according to their leases, as by copies of the said examinations attested by the principal registrar appeared.

In considering, by the special directions of the Commissioners above, and reporting in regard to the title of Major Peter Brook, a member of Parliament, to the said rectory, he found

That the said Charles Herle, by indenture dated 13th of March, 1649, for good and divers valuable considerations, and in consideration of the rent reserved and conditions covenanted by the said Peter Brook, demised the said rectory and premises to the said Peter Brook for twelve years, if he, the said Charles, so long lived and continued rector of Winwick, rendering £225 per annum, and the said Peter Brook covenants to pay all taxes, &c., anyways charged upon the said rectory, which indenture was produced under the hand and seal of the said Charles Herle; and it appeared by an indorsement upon the said indenture that seizin was given by the said Charles Herle to Robert

Ingle, to the use of the said Peter Brook, the 17th November, 1651, the sealing and delivery of which indenture, at or about the date, was deposed by Edward Herle and Thomas Bromelawe, and that they saw the same executed by livery of seizin, according to the said indorsement. And a letter of attorney was produced under the hand and seal of the said Peter Brook, dated 12th of November, 1651, whereby the said Peter Brook constituted the said Robert Ingle his attorney, to take possession of the said rectory.

This (admitting the original lease valid) he found to be the case touching the rectory of Winwick, and he submitted for consideration that the said Charles Herle was bound in law or equity by the said indentures of the 4th and 20th of June, 1628, to permit the said Sir John Fortescue to enjoy the rectory during the residue of the said term of ninety-nine years, paying £120 and £105 per annum. And admitting the said Charles be bound, then whether two parts of the said rectory ought not to be sequestered for the recusancy of the said Sir John; and admitting the said Charles Herle, notwithstanding the said indentures, to question the validity of the original lease, then it might be considered whether (relying on the judgment at Lancaster) the original lease should be declared void, and so permit the said Peter Brook during his term, and afterwards the said Charles Herle, quietly to enjoy the said rectory, or, as the Duchy did, a new trial might be directed at law, reserving the determination of the cause (in regard to the interest of the State) to themselves (the Commissioners), or have the case touching the validity of the original lease stated for judgment.

fo. 177. Order dated 6 September, 1650, directing copy of petition to be sent, and referring case generally to the Lancashire Commissioners to examine and certify, and to refer same to Mr. Brereton to report.

ff. 178-80. Petition (copy).

fo. 182. Affidavit of Edward Herle, of Southworth, gentleman (copy).

fo. 183. Affidavit of Thomas Bromleo, of Southwark, gentleman (copy).

fo. 185. Examinations taken at Preston, 21 November, 1650, before Peter Holt, Robert Cunliffe, and George Pigot, Esq., in the case of Sir John Ffortescue, of Salden, co. Bucks, namely, of Thomas Taylor, of Winwick, yeoman;

fo. 186. of Gouthier Kerfoote, of Winwick, yeoman;

fo. 187. of William Holcroft, of Winwick, yeoman, aged forty-seven years;

ff. 189-91. of John Lander, of Winwick, gentleman;

fo. 191. and of Thomas Naylor, of Winwicke, yeoman.

See also papers of Charles Berle.

William Forth, of Wigan, Yeoman.

(Second Series, Vol. iii., No. 134, fols. 543, &c.)

fo. 543. His delinquency, that he assisted the King's forces when Wiggen was in the hands of the King, being made a garrison by the Earl of Derby; he rendered himself to the Committee of the County of Lancaster, took the National Covenant before Samuel Gibson, minister of Margaret's, Westminster, 21 February, 1645, and the Negative Oath, 26th February, 1645.

He compounded on a particular delivered; was seized of an estate tail in possession of a messuage and twenty-eight acres of land lying in Wigan, yearly value before "theis troubles," £25. 11s. Fine, £51. 2s. He claimed an allowance of £11. 12s., an annuity paid by him to his mother. Net amount payable, £39. 10s. Personal estate valued at £10. Fine levied, £40; paid 4th March, 1645.

fo. 545. Petition, in which he states that he was an inhabitant of Wigan when the Earl of Derby seized the town. He, the Earl, pressed petitioner to be a means to raise the inhabitants to go out and fight against the Parliament, and on petitioner refusing, the Earl drew his sword several times on petitioner, vowing his death, and

threatened to burn his house. Out of fear, though much against his "hart" and will, he acted with the Earl of Derby.

fo. 547. A particular of his estate.

fo. 549. Certificate of his having taken the National Covenant.

fo. 551. Affidavit, stating the above facts, taken before Robert Aylett, 26 February, 1645[-6].

(First Series, Vol. cxiii., No. —, fol. 198.)

(Similar to above, but not so full.)

For **Robert Foster** see **Thomas Johnson**.

For **James Foulds** see **Richard Eyves**.

Walter Fowler.

(First Series, Vol. xciv., No. 3,959, fols. 303, &c.)

ff. 303-4. Letter dated at Preston, 6 September, 1652, signed by Robert Cunliffe and G. Pigot, mentioning that about February, 1651[-2], they were informed that the above, a papist delinquent, who had petitioned, had an estate in that county which had been under sequestration, but, upon a composition made by some others in his behalf at Goldsmiths' Hall, he had had it discharged, but conceiving the same to have been sequestrable, notwithstanding the composition, they secured it, and in August following, no discharge being sent forth, or any appeal, they sequestered it, and had ever after received the rents, &c.

And at this time the "Discoverers," who first informed them thereof, pressed them exceedingly for an allowance of a fifth part for their discovery (the said estate having been inserted in the last Bill for sale), but they not being able to give any such allowance, commended the persons to their consideration, not only in this, but in other like cases.

. . . . asked in this for directions in this case recusants dying possessed of a third part of their estates, real or personal, the same

descending and coming to their children or others that are recusants, whether two third parts of the said third part ought again to be

Henry Hoxcroft, of Clarkton, Husbandman.

(Second Series, Vol. xl., No. 2,338, fols. 485, &c.)

fo. 485. Petition, in which he stated that he had only a small tenement and ground in Clarkton, which he held by fee farm, worth £6 a year; that he had no other resources and no money to pay his expenses to London sooner; that he was seventy years of age, and had come to London on foot; that he was a true Protestant, and had been very much troubled at the dissenting opinions of his wife, and had endeavoured by all the means he could to inform her otherwise; that he had never acted or assisted any forces against the Parliament, but was always conformable. He "beseeched" the Committee to look upon his great necessity, and to grant that the sequestration may be taken off (for a reasonable fine¹), and he would ever pray, &c.; 12 June, 1649. Fine, 40s.

For **Edward French** see **William Boughton** and — **Woodcock**.

For **Matthew French** see **Richard Ashton**.

For Children of **John Fyfe** see **William Boughton**.

END OF VOLUME II.

¹ These words are inserted by a different hand; presumably by the person who wrote the date and the fine inflicted, as the writing appears to be identical.

Ex. m. 1. 2.

EXAMINER PRINTING WORKS, MANCHESTER.

